# **Grant Opportunity Guidelines**

# **Boosting Female Founders Initiative – Round Three**

Opening date:	6 May 2022
Closing date and time:	17:00 (5pm) Australian Eastern Standard Time on 2 June 2022
	Please take account of time zone differences when submitting your application.
Commonwealth policy entity:	Department of Industry, Science, Energy and Resources
Administering entity	Department of Industry, Science, Energy and Resources
Enquiries:	If you have any questions, contact us on 13 28 46.
Date guidelines released:	8 April 2022
Type of grant opportunity:	Open competitive

## **Contents**

1.	Boosting Female Founders Initiative – Round Three			4
2.	About	the gra	nt program	6
	2.1.	About I	Boosting Female Founders Initiative – Round Three	6
		2.1.1.	Mentoring under the program	7
3.	Grant	amount	and grant period	7
	3.1.	Grants	available	7
	3.2.	Project	t period	8
4.	Eligibility criteria		8	
	4.1.	Who is	s eligible?	8
	4.2.	Additio	onal eligibility requirements	9
	4.3.	Who is	s not eligible?	9
5.	What t	the gran	t money can be used for	10
	5.1.	Eligible	e activities	10
	5.2.	Eligible	e expenditure	10
6.	Asses	sment C	Criteria	11
	6.1.	Expres	ssion of interest (EOI) (Stage One)	11
		6.1.1.	Stage One Assessment criterion 1	11
		6.1.2.	Stage One Assessment criterion 2	11
		6.1.3.	Stage One Assessment criterion 3	11
	6.2.	Grant a	application Stage Two	11
		6.2.1.	Stage Two Assessment criterion 1	12
		6.2.2.	Stage Two Assessment criterion 2	12
		6.2.3.	Stage Two Assessment criterion 3	13
7.	How to	o apply.		13
	7.1.	Attachr	ments to the application	14
		7.1.1.	Stage One EOI attachments	14
		7.1.2.	Stage Two Application attachments	14
	7.2.	Timing	of grant opportunity	15
8.	The gr	rant sele	ection process	15
	8.1.	Stage	One expressions of interest	15
	8.2.	Stage <sup>-</sup>	Two grant application	15
	8.3.	Who w	vill approve grants?	16
9.	Notific	cation of application outcomes16		
10.	Succe	ssful gr	ant applications	16
	10.1.	Grant a	agreement	16
	10.2.	Project	t specific legislation, policies and industry standards	17
	10.3.	How w	re pay the grant	17
	10.4.	Tax ob	oligations	17

11. Anno	uncement of grants	18
12. How	we monitor your grant activity	18
12.1.	Keeping us informed	18
12.2.	Reporting	18
	12.2.1. Progress reports	19
	12.2.2. End of project report	19
	12.2.3. Ad-hoc reports	19
12.3.	Independent audits	19
12.4.	Compliance visits	19
12.5.	Grant agreement variations	19
12.6.	Evaluation	20
12.7.	Grant acknowledgement	20
13. Probi	ty	20
13.1.	Conflicts of interest	20
13.2.	How we use your information	21
	13.2.1. How we handle your confidential information	21
	13.2.2. When we may disclose confidential information	21
	13.2.3. How we use your personal information	22
	13.2.4. Freedom of information	22
13.3.	Enquiries and feedback	23
14. Gloss	sary	24
Appendix	A. Eligible expenditure	27
A.1	How we verify eligible expenditure	27
A.2	Labour expenditure	27
A.3	Labour on-costs and administrative overhead	28
A.4	Contract expenditure	28
A.5	Travel and overseas expenditure	29
A.6	Other eligible expenditure	29
Annendix	R Ineligible expenditure	30

## 1. Boosting Female Founders Initiative – Round Three

# The Boosting Female Founders Initiative is designed to achieve Australian Government objectives

This grant opportunity is part of the above grant program, which contributes to the Department of Industry, Science, Energy and Resources Outcome 1: Enabling growth and productivity for globally competitive industries through supporting science and commercialisation, growing business investment and improving business capability and streamlining regulation. The Department of Industry, Science, Energy and Resources works with stakeholders to plan and design the grant program according to the *Commonwealth Grants Rules and Guidelines (CGRGs)*.



#### The grant opportunity opens

We publish the grant guidelines on business.gov.au and GrantConnect.



## Stage One - Expression of Interest (EOI)

#### You complete and submit an EOI

You complete the online EOI form, addressing all Stage One eligibility and assessment criteria in order for your application to be considered.



#### We assess all EOIs

We assess all EOIs against eligibility criteria. An Independent Assessment Committee will assess applications against the EOI assessment criteria and recommend to the Program Delegate which EOIs should be invited to submit a Stage Two grant application. The Program Delegate then makes a decision on which projects can progress to Stage Two.



#### We notify you of the outcome

We advise you of the outcome of your EOI.



### Stage Two - Grant application

# Successful applicants from Stage One are invited to complete and submit a grant application

You complete the application form, addressing all Stage Two eligibility and assessment criteria in order for your application to be considered.



#### We assess all grant applications

An Independent Assessment Committee will assess applications against the Stage Two assessment criteria, including an overall consideration of value with relevant money and compare it to other eligible applications.



#### We make grant recommendations

We provide advice to the Program Delegate on the merits of each application.



#### Grant decisions are made

The Program Delegate decides which applications are successful.



#### We notify you of the outcome

We advise you of the outcome of your application. We may not notify unsuccessful applicants until grant agreements have been executed with successful applicants.



#### We enter into a grant agreement

We will enter into a grant agreement with successful applicants. The type of grant agreement is based on the nature of the grant and proportional to the risks involved.



#### **Delivery of grant**

You undertake the grant activity as set out in your grant agreement. We manage the grant by working with you, monitoring your progress and making payments.



#### **Evaluation of the Boosting Female Founders Initiative**

We evaluate the specific grant activity and the program as a whole. We base this on information you provide to us and that we collect from various sources.

## 2. About the grant program

The Boosting Female Founders Initiative (the program) will run over five years from 2020-21 to 2024-25. The program is part of the 2018 and 2020 Women's Economic Security Statements, which help to support more Australian women into work and Australia's international obligations under the Convention on the Elimination of all forms of Discrimination against Women (CEDAW). The program will provide targeted support through grants on a co-contribution basis to female owned and led startups to scale into domestic and/or global markets.

Innovative startups play a critical role in the economy by bringing new products and services to market and driving job creation. Startups are the largest contributor to job creation in Australia.

Greater levels of entrepreneurship among women and better access to resources by women entrepreneurs can contribute to innovation, job creation, economic growth and social inclusion.

The objectives of the program are to:

- stimulate private sector investments into innovative startups led by women
- help women entrepreneurs overcome barriers to accessing finance and support necessary to scale their startups
- enable female founders to scale-up, expand into domestic and/or global markets, and become self-sufficient
- boost the economy through increasing the diversity of startup founders.

The intended outcomes of the program are:

- increased number of startups founded and sustained by women
- new products and services are brought to market by startups founded by women
- increased financial investment in startups founded by women
- women improve their earning potential through entrepreneurship
- facilitate mentor relationships to support entrepreneurial development
- increased job creation and economic growth.

#### 2.1. About Boosting Female Founders Initiative – Round Three

These guidelines contain information for the Boosting Female Founders Initiative Round Three grants.

This document sets out:

- the eligibility and assessment criteria for both stages
- how we consider and assess grant applications
- how we notify applicants and enter into grant agreements with grantees
- how we monitor and evaluate grantees' performance
- responsibilities and expectations in relation to the opportunity.

The grant opportunity will be delivered through a two-stage competitive selection process due to the expected high demand for this program. You will first submit an Expression of Interest (EOI) at Stage One. If successful, you will be invited to submit a Stage Two grant application. Refer to section 7 on how to apply.

The Department of Industry, Science, Energy and Resources (the department/we) is responsible for administering this grant opportunity.

We administer the program according to the <u>Commonwealth Grants Rules and Guidelines</u> (CGRGs)<sup>1</sup>.

We have defined key terms used in these guidelines in the Glossary at section 14.

You should read this document carefully before you fill out an application.

#### 2.1.1. Mentoring under the program

The program also provides access to expert mentoring and advice to help women entrepreneurs grow and scale their startups. A select number of eligible applicants will be offered the opportunity for one-on-one advice from an expert mentor engaged by us. Mentoring offers will be made based on the outcome of your EOI merit-based assessment against the criteria listed in section 6.1 of the guidelines, compared to other eligible EOIs.

The mentors have a range of areas of expertise relevant to support startups to grow and succeed (e.g. export, finance, intellectual property, marketing and communications, raising capital). Participating applicants are paired with a mentor based on their needs.

## 3. Grant amount and grant period

The Australian Government has announced a total of \$52.2 million in grant funding for the program over five years from 2020-21 to 2024-25. For this round, an estimated \$11.6 million is available.

#### 3.1. Grants available

The grant amount will be up to 50 per cent of the total eligible project expenditure (grant percentage), and

- the minimum grant is \$100,000
- the maximum grant is \$400,000

Grants for priority groups will be up to 70 per cent of the total eligible project expenditure, and

- the minimum grant is \$100,000
- the maximum grant is \$480,000.

You must meet at least one of the following criteria to be eligible for additional funding available to priority groups:

- your head office is located in a regional area
  - We consider your business as located in a regional area if your head office is in a regional area as defined by the <u>Australian Statistical Geography Standard (ASGS)</u> <u>Remoteness Structure</u> (the mapping tool developed by the Department of Health displays ASGS remoteness areas). For this grant opportunity, we consider Inner Regional, Outer Regional, Remote and Very Remote locations as regional areas.
- your business is Indigenous-owned. Refer to Glossary for definition.
- at least one of your founding team members (owners and leaders) is a person living with a
  disability
- at least one of your founding team members (owners and leaders) has migrated to Australia as a refugee or humanitarian entrant.

https://www.finance.gov.au/sites/default/files/2019-11/commonwealth-grants-rules-and-guidelines.pdf

Where you are applying for a greater than 50 per cent grant percentage, you must provide evidence to support your claim to the specified criteria (refer to section 7.1).

You are responsible for the remaining eligible project expenditure plus any ineligible expenditure. Contributions to your project must be cash, not in-kind. An example of a contribution not considered cash is future revenue. You are encouraged to seek contributions from private investors and industry partners.

You cannot use funding from other Commonwealth government grants to fund the balance of your share of project expenditure not covered by the grant. You may use funding from other State, Territory and local government grants, to fund a maximum of 10 per cent of the balance of your share of project expenditure.

#### 3.2. Project period

The maximum project period is 24 months.

We may extend this period under exceptional circumstances. You must complete your project by 30 April 2025.

## 4. Eligibility criteria

We cannot consider your application if you do not satisfy all eligibility criteria. Eligibility is determined at the time of application to Stage One of the program.

#### 4.1. Who is eligible?

To be eligible you must:

- be a startup that is scalable:
  - 'Startup' is defined as an early stage, innovative or disruptive business that is scalable and working on a new or novel product, service or has a different business model.
  - 'Scalable' is defined as a startup which can grow quickly and has the potential to address large national and international markets such as entering new markets, sales or organisation
- be a female founded startup that is at least 51 per cent owned and led by women, as defined in the <u>Glossary</u> at section 14
- have an active Australian Business Number (ABN)
- have a combined annual turnover of less than \$20 million for each of the three financial years prior to the lodgement of the application
- be one of the following entities:
  - an entity incorporated in Australia
  - a partnership
  - a sole trader
  - trust or trustees.

#### 4.2. Additional eligibility requirements

We can only accept applications where you:

- provide a signed declaration, on the template provided, that your startup is female founded (majority owned and led by women)
- certify that your startup will remain majority owned and led by women for the duration of the grant (this will be a requirement of the grant agreement)
- (Stage Two applications only) provide evidence to support your source of funding (e.g. letter from contributor/s confirming funding amount)
- (Stage Two applications only) provide a pitch deck (a PDF PowerPoint presentation max 10 slides)
  - (Stage Two applications only) provide a link to a video pitch from your CEO/founder (no longer than 5 mins) supporting your response to the assessment criteria
- Include all mandatory attachments.

To be considered a startup which is scalable, at least two of the following indicators of innovation and high growth must apply to you:

- You are applying to register, or have registered intellectual property rights
- You have registered for, and are undertaking <u>eligible research and development activities</u>
   for the Research and Development Tax Incentive (RDTI) scheme
- You are applying for, or have been granted, required regulatory approval for your product, process or service
- You have attracted third party investment
- You have a minimum viable product that has been tested with customers, is ready for market, or for which you have had first sales
- You have completed or are undertaking an accelerator or incubator program that provides time-limited support for entrepreneurs with a startup
- You have a written agreement to co-develop and commercialise an innovation with:
  - An institution or body listed in <u>Schedule 1 to the Higher Education Funding Act 1988</u>,
     or
  - An entity registered as a <u>Research Service Provider</u> under section 29A of the Industry Research and Development Act 1986.
- You would meet the early-stage innovation company (ESIC) requirements under the <u>Tax</u>
   Incentives for Early Stage Investors scheme.
- You have been incorporated or registered with the Australian Business Register within the last five years.

We cannot waive the eligibility criteria under any circumstances.

#### 4.3. Who is not eligible?

You are not eligible to apply if you are:

- an organisation not included in section 4.1
- an unincorporated association
- a not for profit organisation
- a registered charity

- a Commonwealth, State, Territory or local government body (including government business enterprises)
- a previous recipient of grant funds through the Boosting Female Founders Initiative.

## 5. What the grant money can be used for

#### 5.1. Eligible activities

To be eligible your project must support your female founded (majority owned and led by women) startup to scale into domestic and/or global markets.

Eligible activities can include, but are not limited to:

- launching and scaling products and/or services
- developing and marketing software and apps
- development and marketing of products and/or services
- purchase of equipment specific to project to support growth
- expansion to other markets
- access to independent management (for example C-suite, advisory board)
- expanding management teams and/or establishing a board
- access to relevant professional development.

We may also approve other activities.

#### 5.2. Eligible expenditure

You can only spend grant funds on eligible expenditure you have incurred on an agreed project as defined in your grant agreement.

For guidance on eligible expenditure, see Appendix A.

For guidance on ineligible expenditure, see Appendix B.

We may update the guidance on eligible and ineligible expenditure from time to time. If your application is successful, the version in place when you submitted your application applies to your project.

If your application is successful, we may ask you to verify project costs that you provided in your application. You may need to provide evidence such as quotes for major costs.

Not all expenditure on your project may be eligible for grant funding. The Program Delegate (who is an AusIndustry manager within the department with responsibility for the program), makes the final decision on what is eligible expenditure and may give additional guidance on eligible expenditure if required.

To be eligible, expenditure must:

- be a direct cost of the project
- be incurred by you for required project audit activities.

You must incur the project expenditure between the project start and end date for it to be eligible unless stated otherwise.

You may elect to commence your project from the date we notify you that your application is eligible and complete. It is important to note that we are not responsible for any expenditure you

incur until a grant agreement is executed. The Commonwealth will not be liable, and should not be held out as being liable, for any activities undertaken before the grant agreement is executed.

#### 6. Assessment Criteria

#### 6.1. Expression of interest (EOI) (Stage One)

The application form to submit an EOI will ask you a series of questions about your startup business and your product, process or service.

You must also address the following assessment criteria in your EOI. We will assess your application based on the weighting given to each criterion. The amount of detail you provide in your EOI should be relative to the project size, complexity and grant amount requested. The application form displays size limits for answers. We will only invite applications that score at least 50 per cent against all assessment criteria to submit an application under Stage Two.

If invited to submit an application under Stage Two, you will be asked to provide more detailed responses and also to provide evidence to support your answers.

#### 6.1.1. Stage One Assessment criterion 1

# How will a grant help you to scale-up, expand into domestic and/or global markets (40 points)

Tell us:

- a. how ready your product or service is for scaling.
  - who are your users or customers?
  - what stage is your product or service at? Are you marketing it?

#### 6.1.2. Stage One Assessment criterion 2

#### Your capacity, capability and resources to grow (30 points)

Tell us:

- a. about yourself and your team
- b. if you have received any investment from external sources (including how much and the funding source). If not, why not? What funding alternatives have you considered or pursued?
- c. what growth looks like for your business (e.g. in terms of revenue, employees, new markets etc.)

#### 6.1.3. Stage One Assessment criterion 3

#### The impact of grant funding (30 points)

Tell us:

- a. how much grant funding you require
- b. your financial contribution to the project and its source.

#### 6.2. Grant application Stage Two

Applications for Stage Two are by invitation only.

If invited to submit an application under Stage Two, you must address the following assessment criteria in your grant application. These require more detail than provided in your EOI and you will be asked to provide evidence to support your answers. We will assess your application based on the weighting given to each criterion.

The amount of detail and supporting evidence you provide in your application should be relative to the project size, complexity and grant amount requested. The application form displays size limits for answers. You will also be required to provide a pitch deck (a PDF PowerPoint presentation, max 10 slides) and link to a video pitch from your CEO or founder (no longer than 5 mins) to support your responses to the assessment criteria.

We will only award funding to applications that score at least 50 per cent against all assessment criteria, as these represent best value for money.

#### 6.2.1. Stage Two Assessment criterion 1

# How grant funding will help you to overcome barriers to scaling, expanding into domestic and/or global markets and becoming self-sufficient (30 points)

You should demonstrate this by identifying:

- a. how grant funding will be used to support and grow your startup
- b. how grant funding will enable your startup to expand into domestic and/or global markets and gain a sustainable competitive advantage.

#### 6.2.2. Stage Two Assessment criterion 2

#### Your capacity, capability and resources to deliver the project (40 points)

You should demonstrate this by describing:

- a. your and/or your team's qualifications, experience or track record in startups, scaling companies and managing large complex projects
- b. your plan to finance growth and achieve financial sustainability including leveraging new investments.

You will also be asked to attach:

- a pitch deck (PDF power point presentation max 10 slides)
- a link to a video pitch from your CEO/founder (no longer than 5 mins) supporting your response to the assessment criteria
- and your business plan in 10 pages or less (min 11pt font), which should contain the following information:
  - your revenue model
  - your addressable market and profile of your ideal customers
  - your customer acquisition strategy
  - your company's organisational structure
  - the rationale and scope of the project or activity for which you are requesting funding
  - project milestones and timeframes
  - project budget
  - risks and risk mitigations

- intellectual property protection and your arrangements, if relevant
- expected outcomes
- how you will measure the success of the project.

#### 6.2.3. Stage Two Assessment criterion 3

#### The impact of grant funding (30 points)

You should demonstrate this by identifying:

- your need for funding, i.e. the extent that you need this grant to achieve your projected growth (you must have a genuine need for funding)
- b. how you will use this project to leverage additional partnerships or support from other organisations
- c. the benefits to Australia, your region and/or community from your project.

## 7. How to apply

Before applying, you should read and understand these guidelines, the sample <u>application form</u> and the sample <u>grant agreement</u> published on <u>business.gov.au</u> and <u>GrantConnect</u>.

To apply, you must:

- complete the online Stage One EOI form
- be invited to apply for Stage Two application on business.gov.au
- provide all the information requested
- address all eligibility and assessment criteria
- include all necessary attachments.

You will receive confirmation when you submit your application. You should retain a copy of your application for your own records.

Applications must contain sufficient information to enable us to undertake eligibility checks and assessments.

You are responsible for making sure your application is complete and accurate. Giving false or misleading information is a serious offence under the *Criminal Code Act 1995* (Cth)<sup>2</sup>. If we consider that you have provided false or misleading information we may not progress your application. If you find an error in your application after submitting it, you should call us immediately on 13 28 46.

Eligibility is assessed from the time of application for Stage One (EOI) with additional information collected at further stages. If we find an error or information that is missing, we may ask for clarification or additional information from you that will not change the nature of your application. However, we can refuse to accept any additional information from you that would change your submission after the application closing time.

If you need further guidance around the application process, or if you are unable to submit an application online, <u>contact us</u> at <u>business.gov.au</u> or by calling 13 28 46.

\_

<sup>&</sup>lt;sup>2</sup> https://www.legislation.gov.au/Details/C2020C00245

#### 7.1. Attachments to the application

#### 7.1.1. Stage One EOI attachments

You must provide the following documents with your EOI:

- signed declaration on the provided template to certify that your startup is female founded (majority owned and led by women)
- where you are applying for a greater than 50 per cent grant percentage, provide at least one of the following documents to support your eligibility:
  - an Indigenous Business Direct (Supply Nation) registration to confirm you are an Indigenous business
  - a letter from an incorporated Indigenous organisation confirming the Aboriginal and/or Torres Strait Islander heritage of at least one of your founding team members (owners and leaders)
  - evidence that at least one of your founding team members (owners and leaders) is a person with a disability which:
    - is recent documentation
    - is completed by a treating health practitioner who is relevant to your primary disability, and
    - confirms the impact of your disability.
  - evidence that at least one of your founding team members (owners and leaders) has migrated to Australia as a refugee or humanitarian entrant including a current or previous:
    - Global Special Humanitarian visa (subclass 202)
    - Protection visa (subclass 866)
    - Refugee visas (subclass 200, 201, 203 and 204)
    - Temporary Protection visa (subclass 785)
    - Safe Haven Enterprise visa (subclass 790)
    - or equivalent past visa classes.

#### 7.1.2. Stage Two Application attachments

Provide the following documents with your Stage Two application:

- evidence to support your source of funding (e.g. letter from contributor/s or investor/s confirming funding amount)
- pitch deck (a PDF PowerPoint presentation, max 10 slides)
- link to a video pitch from your CEO/founder (no longer than 5 mins) to support your response to the assessment criteria
- company's profit and loss, balance sheet and cash flow statements for the current year, and three years past where applicable
- your business plan in 10 pages or less including revenue model, customer acquisition and company/management structure, scope, implementation methodology, timeframes, budget, risks and risk mitigations, and how you will measure the success of the project
- where applicable, a copy of your shareholder register
- trust deed (where applicable).

You must attach supporting documentation to the application form in line with the instructions provided within the form. You should only attach requested documents. We will not consider information in attachments that we do not request.

#### 7.2. Timing of grant opportunity

You can only submit one application between the published opening and closing dates. We cannot accept late applications.

If you are successful, we expect you will be able to commence your project from February 2023.

Table 1: Expected timing for this grant opportunity

Activity	Timeframe
Assessment of EOI (Stage One)	14 weeks
Outcomes of EOI process	2 weeks
Preparation and submission of grant application (Stage Two)	6 weeks
Assessment of applications (Stage Two)	8 weeks
Approval of outcomes of selection process	4 weeks
Negotiations and award of grant agreements	up to 4 weeks
Notification to unsuccessful applicants	2 weeks
Earliest start date of project	February 2023
End date of grant commitment	30 April 2025

## 8. The grant selection process

An Independent Assessment Committee (the Committee) comprised of independent experts will assess Stage One (EOI) and Stage Two applications. The Committee may also seek additional advice from independent technical experts.

#### 8.1. Stage One expressions of interest

You first submit an online EOI. We will review your EOI against eligibility criteria, assess all eligible EOIs and make recommendations to the Committee.

The Committee will assess your EOI against the EOI assessment criteria outlined at section 6.1 and compare it to other eligible EOIs before recommending which projects should be invited to apply for a grant to the Program Delegate. The Program Delegate then makes a decision on which EOIs will proceed to Stage Two. The Program Delegate's decision is final.

If your EOI is successful, you will be invited to submit a Stage Two grant application.

#### 8.2. Stage Two grant application

You submit a Stage Two grant application. The Committee will assess that application against the Stage Two assessment criteria at section 6.2 and compare it to other invited applications.

The Committee will consider your application on its merits, based on:

how well it meets the assessment criteria

- how it compares to other applications
- whether it provides value with relevant money.

When assessing whether the application represents value with relevant money, the Committee will consider:

- the overall objectives of the initiative
- the evidence provided to demonstrate how your project contributes to meeting those objectives
- the relative value for money of your application compared to other applications.

The Committee will recommend which projects to fund to the Program Delegate.

If the selection process identifies unintentional errors in your application, we may contact you to correct or clarify the errors, but you cannot make any material alteration or addition.

#### 8.3. Who will approve grants?

The Program Delegate decides which grants to approve taking into account the application assessment, the recommendations of the Committee and the availability of grant funds.

The Program Delegate's decision is final in all matters, including:

- the grant approval
- the grant funding to be awarded
- any conditions attached to the offer of grant funding.

We cannot review decisions about the merits of your application.

The Program Delegate will not approve funding if there is insufficient program funds available across relevant financial years for the program.

## 9. Notification of application outcomes

We will advise you of the outcome of your application in writing. If you are successful, we advise you of any specific conditions attached to the grant.

If you are unsuccessful, we will give you an opportunity to discuss the outcome with us, and clarify areas where your application could be improved in future. You can submit a new application for the same (or similar) project in any future funding rounds. You should include new or additional information to address the weaknesses that prevented your previous application from being successful. If a new application is substantially the same as a previous ineligible or unsuccessful application, we may refuse to consider it for assessment.

## 10. Successful grant applications

#### 10.1. Grant agreement

You must enter into a legally binding grant agreement with the Commonwealth. The grant agreement has general terms and conditions that cannot be changed. A sample grant agreement is available on <u>business.gov.au</u> and <u>GrantConnect</u>.

We must execute a grant agreement with you before we can make any payments. Execute means both you and the Commonwealth have signed the agreement. We are not responsible for any expenditure you incur until a grant agreement is executed.

The approval of your grant may have specific conditions determined by the assessment process or other considerations made by the Program Delegate. We will identify these in the offer of grant funding.

If you enter an agreement under the program, you cannot receive other grants for this project from other Commonwealth programs.

The Commonwealth may recover grant funds if there is a breach of the grant agreement.

You will have 30 days from the date of a written offer to execute this grant agreement with the Commonwealth. During this time, we will work with you to finalise details.

The offer may lapse if both parties do not sign the grant agreement within this time. Under certain circumstances, we may extend this period. We base the approval of your grant on the information you provide in your application. We will review any required changes to these details to ensure they do not impact the project as approved by the Program Delegate.

#### 10.2. Project specific legislation, policies and industry standards

You must comply with all relevant laws and regulations in undertaking your project. You must also comply with the specific legislation/policies/industry standards that follow. It is a condition of the grant funding that you meet these requirements. We will include these requirements in your grant agreement.

In particular, you will be required to comply with:

State/Territory legislation in relation to working with children.

#### 10.3. How we pay the grant

The grant agreement will state the:

- maximum grant amount we will pay
- proportion of eligible expenditure covered by the grant (grant percentage)
- the cash contribution provided by you or a third party.

We will not provide more funding than the maximum grant amount under any circumstances. If you incur extra costs, you must cover those costs yourself.

We will make payments according to an agreed schedule set out in the grant agreement. Payments are subject to satisfactory progress on the project.

#### 10.4. Tax obligations

If you are registered for the Goods and Services Tax (GST), where applicable we will add GST to your grant payment and provide you with a recipient created tax invoice. You are required to notify us if your GST registration status changes during the project period. GST does not apply to grant payments to government related entities<sup>3</sup>.

Grants are assessable income for taxation purposes, unless exempted by a taxation law. We recommend you seek independent professional advice on your taxation obligations or seek assistance from the Australian Taxation Office. We do not provide advice on tax.

<sup>&</sup>lt;sup>3</sup> See Australian Taxation Office ruling GSTR 2012/2 available at ato.gov.au

## 11. Announcement of grants

We will publish non-sensitive details of successful projects on <u>GrantConnect</u>. We are required to do this by the *Commonwealth Grants Rules and Guideline 2017* unless otherwise prohibited by law. We may also publish this information on business.gov.au. This information may include:

- name of your organisation
- title of the project
- description of the project and its aims
- amount of grant funding awarded
- Australian Business Number
- business location
- your organisation's industry sector.

## 12. How we monitor your grant activity

#### 12.1. Keeping us informed

You should let us know if anything is likely to affect your project or organisation.

We need to know of any key changes to your organisation or its business activities, particularly if they affect your ability to complete your project, carry on business and pay debts due.

You must also inform us of any changes to your:

- name
- addresses
- nominated contact details
- bank account details.

If you become aware of a breach of terms and conditions under the grant agreement you must contact us immediately.

You must notify us of events relating to your project and provide an opportunity for the Minister or their representative to attend.

#### 12.2. Reporting

You must submit reports in line with the grant agreement. We will provide the requirements for these reports as appendices in the grant agreement. We will remind you of your reporting obligations before a report is due. We will expect you to report on:

- progress against agreed project milestones
- project expenditure, including expenditure of grant funds
- cash contributions provided by you or a third party.

The amount of detail you provide in your reports should be relative to the project size, complexity and grant amount.

We will monitor the progress of your project by assessing reports you submit and may conduct site visits to confirm details of your reports if necessary. Occasionally we may need to re-examine claims, seek further information or request an independent audit of claims and payments.

#### 12.2.1. Progress reports

Progress reports must:

- include details of your progress towards completion of agreed project activities
- show the total eligible expenditure incurred to date
- include evidence of expenditure
- be submitted by the report due date (you can submit reports ahead of time if you have completed relevant project activities).

We will only make grant payments when we receive satisfactory progress reports.

You must discuss any project or milestone reporting delays with us as soon as you become aware of them.

#### 12.2.2. End of project report

When you complete the project, you must submit an end of project report.

End of project reports must:

- include the agreed evidence as specified in the grant agreement
- identify the total eligible expenditure incurred for the project
- include a declaration that the grant money was spent in accordance with the grant agreement and to report on any underspends of the grant money
- be submitted by the report due date.

#### 12.2.3. Ad-hoc reports

We may ask you for ad-hoc reports on your project. This may be to provide an update on progress, or any significant delays or difficulties in completing the project.

#### 12.3. Independent audits

We may ask you to provide an independent audit report. An audit report will verify that you spent the grant in accordance with the grant agreement. The audit report requires you to prepare a statement of grant income and expenditure. The report template is available on <a href="mailto:business.gov.au">business.gov.au</a> and <a href="mailto:GrantConnect">GrantConnect</a>.

#### 12.4. Compliance visits

We may visit you during the project period, or at the completion of your project, to review your compliance with the grant agreement. We may also inspect the records you are required to keep under the grant agreement. We will provide you with reasonable notice of any compliance visit.

#### 12.5. Grant agreement variations

We recognise that unexpected events may affect project progress. In these circumstances, you can request a variation to your grant agreement, including:

- changing project milestones
- extending the timeframe for completing the project but within the maximum time period
- changing project activities.

The program does not allow for:

an increase of grant funds.

If you want to propose changes to the grant agreement, you must put them in writing before the project grant agreement end date. We can provide you with a variation request template if applicable.

If a delay in the project causes milestone achievement and payment dates to move to a different financial year, you will need a variation to the grant agreement. We can only move funds between financial years if there is enough program funding in the relevant year to allow for the revised payment schedule. If we cannot move the funds, you may lose some grant funding.

You should not assume that a variation request will be successful. We will consider your request based on factors such as:

- how it affects the project outcome
- consistency with the program policy objective, grant opportunity guidelines and any relevant policies of the department
- changes to the timing of grant payments
- availability of program funds.

#### 12.6. Evaluation

We will evaluate the grant opportunity to measure how well the outcomes and objectives have been achieved. We may use information from your applications and project reports for this purpose. We may also interview you, or ask you for more information to help us understand how the grant impacted you and to evaluate how effective the program was in achieving its outcomes.

We may contact you up to two years after you finish your project for more information to assist with this evaluation.

#### 12.7. Grant acknowledgement

If you make a public statement about a project funded under the program, including in a brochure or publication, you must acknowledge the grant by using the following:

'This project received grant funding from the Australian Government.'

If you erect signage in relation to the project, the signage must contain an acknowledgement of the grant.

## 13. Probity

We will make sure that the grant opportunity process is fair, according to the published guidelines, incorporates appropriate safeguards against fraud, unlawful activities and other inappropriate conduct and is consistent with the CGRGs.

#### 13.1. Conflicts of interest

Any conflicts of interest could affect the performance of the grant opportunity or program. There may be a conflict of interest, or perceived conflict of interest, if our staff, any member of a committee or advisor and/or you or any of your personnel:

- has a professional, commercial or personal relationship with a party who is able to influence the application selection process, such as an Australian Government officer or member of an external panel
- has a relationship with or interest in, an organisation, which is likely to interfere with or restrict the applicants from carrying out the proposed activities fairly and independently or

 has a relationship with, or interest in, an organisation from which they will receive personal gain because the organisation receives a grant under the grant program/ grant opportunity.

As part of your application, we will ask you to declare any perceived or existing conflicts of interests or confirm that, to the best of your knowledge, there is no conflict of interest.

If you later identify an actual, apparent, or perceived conflict of interest, you must inform us in writing immediately.

Conflicts of interest for Australian Government staff are handled as set out in the <u>Australian Public Service Code of Conduct (Section 13(7))</u><sup>4</sup> of the <u>Public Service Act 1999</u> (Cth)<sup>5</sup>. Committee members and other officials including the decision maker must also declare any conflicts of interest.

We publish our <u>conflict of interest policy</u><sup>6</sup> on the department's website.

#### 13.2. How we use your information

Unless the information you provide to us is:

- confidential information as per 13.2.1, or
- personal information as per 13.2.3,
- we may share the information with other government agencies for a relevant Commonwealth purpose such as:
- to improve the effective administration, monitoring and evaluation of Australian Government programs
- for research
- to announce the awarding of grants.

#### 13.2.1. How we handle your confidential information

We will treat the information you give us as sensitive and therefore confidential if it meets all of the following conditions:

- you clearly identify the information as confidential and explain why we should treat it as confidential
- the information is commercially sensitive
- disclosing the information would cause unreasonable harm to you or someone else
- you provide the information with an understanding that it will stay confidential.

#### 13.2.2. When we may disclose confidential information

We may disclose confidential information:

- to the Committee and our Commonwealth employees and contractors, to help us manage the program effectively
- to the Auditor-General, Ombudsman or Privacy Commissioner

<sup>&</sup>lt;sup>4</sup> https://www.legislation.gov.au/Details/C2019C00057/Html/Text#\_Toc535831236

<sup>&</sup>lt;sup>5</sup> https://www.legislation.gov.au/Details/C2019C00057

<sup>&</sup>lt;sup>6</sup> https://www.industry.gov.au/sites/default/files/July%202018/document/pdf/conflict-of-interest-and-insider-trading-policy.pdf?acsf\_files\_redirect

- to the responsible Minister or Assistant Minister
- to a House or a Committee of the Australian Parliament.

We may also disclose confidential information if

- we are required or authorised by law to disclose it
- you agree to the information being disclosed, or
- someone other than us has made the confidential information public.

#### 13.2.3. How we use your personal information

We must treat your personal information according to the <u>Australian Privacy Principles</u> (APPs)<sup>7</sup> and the <u>Privacy Act 1988</u> (Cth) <sup>8</sup>. This includes letting you know:

- what personal information we collect
- why we collect your personal information
- to whom we give your personal information.

We may give the personal information we collect from you to our employees and contractors, the Committee, and other Commonwealth employees and contractors, so we can:

- manage the program
- research, assess, monitor and analyse our programs and activities.

We, or the Minister, may:

- announce the names of successful applicants to the public
- publish personal information on the department's websites.

You may read our <u>Privacy Policy</u><sup>9</sup> on the department's website for more information on: what is personal information

- how we collect, use, disclose and store your personal information
- how you can access and correct your personal information.

#### 13.2.4. Freedom of information

All documents in the possession of the Australian Government, including those about the program, are subject to the <u>Freedom of Information Act 1982</u> (Cth) (FOI Act)<sup>10</sup>.

The purpose of the FOI Act is to give members of the public rights of access to information held by the Australian Government and its entities. Under the FOI Act, members of the public can seek access to documents held by the Australian Government. This right of access is limited only by the exceptions and exemptions necessary to protect essential public interests and private and business affairs of persons in respect of whom the information relates.

If someone requests a document under the FOI Act, we will release it (though we may need to consult with you and/or other parties first) unless it meets one of the exemptions set out in the FOI Act.

<sup>&</sup>lt;sup>7</sup> https://www.oaic.gov.au/privacy/australian-privacy-principles/

<sup>&</sup>lt;sup>8</sup> https://www.legislation.gov.au/Details/C2020C00237

<sup>&</sup>lt;sup>9</sup> https://www.industry.gov.au/data-and-publications/privacy-policy

<sup>10</sup> https://www.legislation.gov.au/Details/C2020C00366

#### 13.3. Enquiries and feedback

For further information or clarification, you can contact us on 13 28 46 or by <u>web chat</u> or through our <u>online enquiry form</u> on <u>business.gov.au</u>.

We may publish answers to your questions on our website as Frequently Asked Questions.

Our <u>Customer Service Charter</u> is available at business.gov.au. We use customer satisfaction surveys to improve our business operations and service.

If you have a complaint, call us on 13 28 46. We will refer your complaint to the appropriate manager.

If you are not satisfied with the way we handle your complaint, you can contact:

Head of Division
AusIndustry
Department of Industry, Science, Energy and Resources
GPO Box 2013
CANBERRA ACT 2601

You can also contact the <u>Commonwealth Ombudsman</u><sup>11</sup> with your complaint (call 1300 362 072). There is no fee for making a complaint, and the Ombudsman may conduct an independent investigation.

<sup>11</sup> http://www.ombudsman.gov.au/

## 14. Glossary

Term	Definition
Application form	The document issued by the Program Delegate that applicants use to apply for funding under the program.
AusIndustry	The division of the same name within the department.
Department	The Department of Industry, Science, Energy and Resources.
The Committee (Independent Assessment Committee)	The Independent Assessment Committee established by the Program Delegate to consider and assess eligible EOIs and applications and make recommendations for funding under the program.
Eligible activities	The activities undertaken by a grantee in relation to a project that are eligible for funding support as set out in 5.1.
Eligible application	An application or proposal for grant funding under the program that the Program Delegate has determined is eligible for assessment in accordance with these guidelines.
Eligible expenditure	The expenditure incurred by a grantee on a project and which is eligible for funding support as set out in 5.2.
Eligible expenditure guidance	The guidance that is provided at Appendix A.
Female founded (majority owned and led by women) startup	A startup that is at least 51 per cent owned and led by women (as per the Australian Business Register (ABR), the Australian Securities and Investments Commission (ASIC) and/or organisational records) by:
	sole trader registration
	<ul><li>partnership agreement</li><li>equity, beneficiaries or shares</li></ul>
	officeholders / trustees.
Grant agreement	A legally binding contract between the Commonwealth and a grantee for the grant funding.
Grant funding or grant funds	The funding made available by the Commonwealth to grantees under the program.
GrantConnect	The Australian Government's whole-of-government grants information system, which centralises the publication and reporting of Commonwealth grants in accordance with the CGRGs.
Grantee	The recipient of grant funding under a grant agreement.
Guidelines	Guidelines that the Minister gives to the department to provide the framework for the administration of the program, as in force from time to time.

Term	Definition
Indigenous business	A business that is registered with Indigenous Business Direct (Supply Nation).
	A business which has at least one founding team member (owners and leaders) of Aboriginal and/or Torres Strait Islander heritage.
Leaders	Individuals who manage the business operations of an organisation from a senior position, for example a Chief Executive Officer (CEO).
Minister	The Minister for Industry, Energy and Emissions Reduction.
Non-income-tax-exempt	Not exempt from income tax under Division 50 of the <u>Income Tax Assessment Act 1997</u> <sup>12</sup> (Cth) or under Division 1AB of Part III of the <u>Income Tax Assessment Act 1936</u> <sup>13</sup> (Cth).
Owners	Individuals who are legal proprietors of the business, including shareholders or owners of business assets.
Personal information	Has the same meaning as in the <u>Privacy Act 1988</u> (Cth) <sup>14</sup> which is:
	Information or an opinion about an identified individual, or an individual who is reasonably identifiable:
	<ul> <li>whether the information or opinion is true or not;</li> <li>and</li> </ul>
	whether the information or opinion is recorded in a material form or not.
Person with a disability	A person with a disability that:
	<ul> <li>a) is attributable to an intellectual, psychiatric, sensory or physical impairment or a combination of those impairments; and</li> </ul>
	b) is permanent or likely to be permanent; and
	c) results in—
	(i) a substantially reduced capacity of the person for communication, learning or mobility; and
	(ii) the need for continuing support services.
	As per the <u>Disability Services Act 1986</u> (Cth). 15

<sup>&</sup>lt;sup>12</sup> https://www.legislation.gov.au/Details/C2020C00381

<sup>&</sup>lt;sup>13</sup> https://www.legislation.gov.au/Details/C2020C00401

<sup>&</sup>lt;sup>14</sup> https://www.legislation.gov.au/Details/C2020C00237

<sup>&</sup>lt;sup>15</sup> <u>https://www.legislation.gov.au/Details/C2020C00387</u>

Term	Definition
Program Delegate	An AusIndustry manager within the department with responsibility for the program.
Program funding or Program funds	The funding made available by the Commonwealth for the program.
Project	A project described in an application for grant funding under the program.
Regional	Locations listed in as Inner Regional, Outer Regional, Remote and Very Remote in the mapping tool.
Scalable	A startup which is beginning to or has the capacity to grow quickly and has the potential to address large national and international markets such as entering new markets, sales or organisation.
Startup	'Startup' is defined as an early stage, innovative or disruptive business that is scalable and working on a new or novel product, service or has a different business model.
Trust or trustees	Discretionary and family trusts will be considered eligible for the Boosting Female Founders Initiative grant provided it can meet at least one of the following:
	At least 51% of the beneficiaries are female
	<ul> <li>You can demonstrate that at least 51% of the distribution/capital has historically gone to female beneficiaries.</li> </ul>
	We do not measure female ownership by considering the trust's appointers or trustees.
	Boosting Female Founders Initiative applicants are required to sign a declaration stating their business is majority female owned and will remain majority female owned for the duration of the grant. In cases where the trust structure is new and has no history, we may deem the trust as eligible provided the majority of distributions that occur during the grant period are paid to female beneficiaries. We may ask for evidence of this in their final report.

## Appendix A. Eligible expenditure

This section provides guidance on the eligibility of expenditure.

The Program Delegate makes the final decision on what is eligible expenditure and may give additional guidance on eligible expenditure if required.

To be eligible, expenditure must:

- be incurred by you within the project period
- be a direct cost of the project
- be incurred by you to undertake required project audit activities
- meet the eligible expenditure guidelines.

#### A.1 How we verify eligible expenditure

If your application is successful, we will ask you to verify the project budget that you provided in your application when we negotiate your grant agreement. You may need to provide evidence such as quotes for major costs.

The grant agreement will include details of the evidence you may need to provide when you achieve certain milestones in your project. This may include evidence related to eligible expenditure.

If requested, you will need to provide the agreed evidence along with your progress reports.

You must keep payment records of all eligible expenditure, and be able to explain how the costs relate to the agreed project activities. At any time, we may ask you to provide records of the expenditure you have paid. If you do not provide these records when requested, the expense may not qualify as eligible expenditure.

At the end of the project, you may be required to provide an independent financial audit of all eligible expenditure from the project.

#### A.2 Labour expenditure

Eligible labour expenditure for the grant covers the direct labour costs of employees you directly employ on the core elements of the project. We consider a person an employee when you pay them a regular salary or wage, out of which you make regular tax instalment deductions.

Labour expenditure for leadership, administrative or project management tasks is not eligible. We only consider labour expenditure for leadership or administrative staff (such as CEOs, CFOs, accountants and lawyers) as eligible expenditure where they are directly completing eligible project activities. This may include expanding management teams to address project requirements, or the creation of a board.

Eligible salary expenditure includes an employee's total remuneration package as stated on their Pay As You Go (PAYG) Annual Payment Summary submitted to the ATO. We consider salary-sacrificed superannuation contributions as part of an employee's salary package if the amount is more than what the Superannuation Guarantee requires.

The maximum salary for an employee, director or shareholder, including packaged components that you can claim through the grant is \$175,000 per financial year.

For periods of the project that do not make a full financial year, you must reduce the maximum salary amount you claim proportionally.

You can only claim eligible salary costs when an employee is working directly on agreed project activities during the agreed project period.

#### A.3 Labour on-costs and administrative overhead

You may increase eligible salary costs by an additional 30 per cent allowance to cover on-costs such as employer paid superannuation, payroll tax, workers compensation insurance, and overheads such as office rent and the provision of computers.

You should calculate eligible salary costs using the formula below:

You cannot calculate labour costs by estimating the employee's worth. If you have not exchanged money (either by cash or bank transactions) we will not consider the cost eligible.

Evidence you will need to provide can include:

details of all personnel working on the project, including name, title, function, time spent on the project and salary

ATO payment summaries, pay slips and employment contracts.

#### A.4 Contract expenditure

Eligible contract expenditure is the cost of any agreed project activities that you contract others to do. These can include contracting:

another organisation

an individual who is not an employee, but engaged under a separate contract.

All contractors must have a written contract prior to starting any project work—for example, a formal agreement, letter or purchase order which specifies:

- the nature of the work they perform
- the applicable fees, charges and other costs payable.

Invoices from contractors must contain:

- a detailed description of the nature of the work
- the hours and hourly rates involved
- any specific plant expenses paid.

Invoices must directly relate to the agreed project, and the work must qualify as an eligible expense. The costs must also be reasonable and appropriate for the activities performed.

We will require evidence of contractor expenditure that may include:

- an exchange of letters (including email) setting out the terms and conditions of the proposed contract work
- purchase orders
- · supply agreements

invoices and payment documents.

You must ensure all project contractors keep a record of the costs of their work on the project. We may require you to provide a contractor's records of their costs of doing project work. If you cannot provide these records, the relevant contract expense may not qualify as eligible expenditure.

#### A.5 Travel and overseas expenditure

Eligible travel and overseas expenditure may include:

- domestic travel limited to the reasonable cost of accommodation and transportation required to conduct agreed project and collaboration activities in Australia
- overseas travel limited to the reasonable cost of accommodation and transportation required in cases where the overseas travel is material to the conduct of the project in Australia.

Eligible air transportation is limited to the economy class fare for each sector travelled; where non-economy class air transport is used only the equivalent of an economy fare for that sector is eligible expenditure. Where non-economy class air transport is used, the grantee will require evidence showing what an economy airfare costs at the time of travel.

We will consider value for money when determining whether the cost of overseas expenditure is eligible. This may depend on

- the proportion of total grant funding that you will spend on overseas expenditure
- the proportion of the service providers' total fee that will be spent on overseas expenditure
- how the overseas expenditure is likely to aid the project in meeting the program objectives.

Overseas travel must be at an economy rate and you must demonstrate you cannot access the service, or an equivalent service in Australia.

Eligible overseas activities expenditure is generally limited to 10 per cent of total eligible expenditure.

#### A.6 Other eligible expenditure

Other eligible expenditures for the project may include:

- costs of acquiring technology including servers or machines to support scalability of your business
- · reasonable fitout expenditure directly and specifically related to the project
- staff training that directly supports the achievement of project outcomes
- financial auditing of project expenditure (only if requested by us)
- costs you incur in order to obtain planning, environmental or other regulatory approvals during the project period. However, associated fees paid to the Commonwealth, State, Territory and local governments are not eligible
- contingency costs up to a maximum of 10 per cent of the eligible project costs. Note that we make payments based on actual costs incurred
- expenses additional to those routinely incurred during business-as-usual operations, directly attributable to the conduct of your project.

Other specific expenditures may be eligible as determined by the Program Delegate.

Evidence you need to supply can include supplier contracts, purchase orders, invoices and supplier confirmation of payments.

## Appendix B. Ineligible expenditure

This section provides guidance on what we consider ineligible expenditure.

The Program Delegate may impose limitations or exclude expenditure, or further include some ineligible expenditure listed in these guidelines in a grant agreement or otherwise by notice to you.

Examples of ineligible expenditure include:

- research not directly supporting eligible activities
- activities, equipment or supplies that are already being supported through other sources
- costs incurred prior to us notifying you that the application is eligible and complete
- financing costs, including interest
- capital expenditure for the purchase of assets such as office furniture and equipment, motor vehicles, computers (excluding servers), printers or photocopiers and the construction, renovation or extension of facilities such as buildings and laboratories
- costs involved in the purchase or upgrade/hire of software (including user licences) and ICT hardware (unless it directly relates to the project)
- costs such as rental, renovations and utilities not specifically required for the project
- non-project-related staff training and development costs
- insurance costs (the participants must effect and maintain adequate insurance or similar coverage for any liability arising as a result of its participation in funded activities)
- debt financing
- costs related to obtaining resources used on the project, including interest on loans, job advertising and recruiting, and contract negotiations
- depreciation of plant and equipment beyond the life of the project
- maintenance costs
- costs of purchasing, leasing, depreciation of, or development of land
- opportunity costs relating to any production losses due to allocating resources to the agreed grant project
- routine, ongoing operational expenses, including communications, accommodation, office computing facilities, printing and stationery, postage, legal and accounting fees and bank charges, which you would normally be liable for outside of your project
- costs related to preparing the grant application, preparing any project reports (except costs of independent audit reports we require) and preparing any project variation requests
- travel or overseas costs that exceed 10 per cent of total project costs except where otherwise approved by the Program Delegate.

This list is not exhaustive and applies only to the expenditure of the grant funds. Other costs may be ineligible where we decide that they do not directly support the achievement of the planned outcomes for the project or that they are contrary to the objective of the program.

You must ensure you have adequate funds to meet the costs of any ineligible expenditure associated with the project.