



Grant Opportunity Guidelines

Business Research and Innovation Initiative Pilot

Round 2 Proof of concept

Opening date:	1 October 2019
Closing date and time:	5.00pm AEDT on 5 November 2019
Commonwealth policy entity:	Department of Industry, Innovation and Science
Administering entity	Department of Industry, Innovation and Science
Enquiries:	If you have any questions, contact us at business.gov.au .
Date guidelines released:	29 August 2019
Type of grant opportunity:	Closed competitive

Contents

1. Business Research and Innovation Initiative Pilot: Round 2 Proof of concept processes	4
2. About the grant program	5
2.1. Stage 1 - Challenge Selection	6
2.2. Stage 2 - Feasibility study	6
2.3. Stage 3 - Proof of concept	6
2.4. About the Round 2 Proof of concept grant opportunity	6
3. Challenges	7
4. Grants available	7
4.1. Project duration	7
5. Eligibility criteria	7
5.1. Who is eligible?	7
6. Eligible grant activities	7
6.1. Eligible projects	7
6.2. Eligible activities	7
6.3. Eligible expenditure	8
7. The merit criteria you need to address	8
7.1. Merit criterion 1	8
7.2. Merit criterion 2	9
7.3. Merit criterion 3	9
8. How to apply	9
8.1. Attachments to the application	10
8.2. Timing of grant opportunity	10
8.3. Joint applications	10
9. The selection process	11
9.1. Merit assessment by challenge agencies	11
9.2. Merit assessment by Innovation and Science Australia	11
9.3. Final decision	11
10. Notification of application outcomes	11
11. If your application is successful	12
11.1. Grant agreement	12
11.1.1. Standard grant agreement	12
11.2. Project specific legislation, policies and industry standards	12
11.3. How we pay the grant	12
11.4. How we monitor your project	13
11.4.1. Progress reports	13
11.4.2. Final report	13
11.4.3. Ad-hoc report	13
11.4.4. Independent audits	13

11.4.5. Compliance visits	14
11.4.6. Challenge management group	14
11.5. Grant agreement variations	14
11.6. Keeping us informed.....	15
11.7. Evaluation	15
11.8. Tax obligations	15
11.9. Grant acknowledgement.....	15
12. Conflicts of interest	16
12.1. Your conflict of interest responsibilities	16
12.2. Our conflict of interest responsibilities	16
13. How we use your information	16
13.1. How we handle your confidential information	17
13.2. When we may disclose confidential information	17
13.3. How we use your personal information	17
13.4. Public announcement.....	18
13.5. Freedom of information	18
14. Enquiries and feedback.....	18
Appendix A. Definitions of key terms	20
Appendix B. Eligible expenditure	22
14.1. How we verify eligible expenditure	22
14.2. Labour expenditure	22
14.3. Labour on-costs and administrative overhead.....	23
14.4. Contract expenditure	23
14.5. Travel and overseas expenditure	24
14.6. Other eligible expenditure.....	24
Appendix C. Ineligible expenditure.....	25

1. Business Research and Innovation Initiative Pilot: Round 2 Proof of concept processes

The Business Research and Innovation Initiative is designed to achieve Australian Government objectives

This grant opportunity is part of the above Grant Program which contributes to Department of Industry, Innovation and Science's Outcome 1. The department works with stakeholders to plan and design the grant program according to the *Commonwealth Grants Rules and Guidelines*.



The grant opportunity opens

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



You complete and submit a grant application



We assess all grant applications

We assess the applications against eligibility criteria and notify you if you are not eligible. The Challenge Agencies and Innovation and Science Australia then assess eligible applications against the merit 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 decision maker on the merits of each application.



Grant decisions are made

The decision maker 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 Business Research and Innovation Initiative

We evaluate the specific grant activity and Business Research and Innovation Initiative as a whole after the proof of concept stage is completed. We base this on information you provide to us and that we collect from various sources.

2. About the grant program

The Business Research and Innovation Initiative Pilot (the program) was announced as part of the National Innovation and Science Agenda as a pilot, with funding commencing 1 July 2016.

The program provides small to medium sized enterprises (SMEs) with grant funding to develop innovative solutions for government policy and service delivery challenges.

The program covers up to five challenges each round for which SMEs can develop solutions.

The objective of the program is to drive innovation within small to medium sized enterprises (SMEs) and government by encouraging the development of innovative solutions by SMEs to public policy and service delivery challenges.

The intended outcomes of the program are:

- stimulate the innovative capacity of SMEs and Australian Government agencies
- improve business capability to access national and international markets
- develop SMEs confidence and awareness when working with government as a possible customer
- encourage Australian Government agencies to participate in sourcing innovative solutions.

The program has three stages:

CHALLENGE SELECTION	FEASIBILITY STUDY	PROOF OF CONCEPT
<ol style="list-style-type: none"> 1. Australian Government Agencies submit challenges 2. Innovation and Science Australia shortlist challenges through assessment process 3. Minister approves shortlisted challenges 4. Challenges are announced by the Minister 	<ol style="list-style-type: none"> 1. SMEs apply to respond to a challenge 2. Challenge agencies assess and rank applications against the merit criteria 3. Innovation and Science Australia assess applications, consider the challenge agency assessment and recommend which projects to fund 4. Program Delegate approves recommended applications for funding 5. Successful SMEs conduct feasibility studies 	<ol style="list-style-type: none"> 1. Successful feasibility study SMEs apply for proof of concept grant 2. Challenge agencies assess and rank applications against the merit criteria 3. Innovation and Science Australia assess applications, consider the challenge agency assessment and recommend which projects to fund 4. Program Delegate approves recommended applications for funding 5. Successful SMEs conduct proof of concepts

There will be two grant opportunities as part of this program. The feasibility study grant opportunity and the proof of concept grant opportunity. You can only apply for the proof of concept grant opportunity if you have received a feasibility study grant. We will publish the opening and closing dates and any other relevant information on business.gov.au and GrantConnect.

We administer the program according to the Commonwealth Grants Rules and Guidelines (CGRGs)¹.

2.1. Stage 1 - Challenge Selection

Government agencies submit challenges. Innovation and Science Australia assess and shortlist the challenges. The Minister then decides and announces the successful challenges.

2.2. Stage 2 - Feasibility study

You must first have successfully completed a feasibility study that addressed one of the challenges in section 3 to apply for a Proof of Concept grant. The maximum grant amount for a feasibility study is \$100,000 with a maximum grant period of three months.

2.3. Stage 3 - Proof of concept

After completing a feasibility study under this program, you can apply for a competitive grant for the development of a proof of concept addressing the same challenge. The maximum grant amount is \$1 million with a maximum grant period of 18 months. There is a total allocation of \$10 million for the proof of concept grant opportunity.

At the completion of the proof of concept stage, we expect grantees to conduct negotiations for any potential sale of the solution to the participating Australian Government agency in good faith. Agencies will decide whether to purchase any solution at their own cost. Any procurement must comply with the [Commonwealth Procurement Rules](#)². At the end of the proof of concept stage, the Australian Government agency putting forward a challenge may purchase a solution from any grant recipient.

Grant recipients will retain intellectual property rights and the right to sell in domestic and global markets.

2.4. About the Round 2 Proof of concept grant opportunity

For this grant opportunity up to \$10 million is available from 2019-20 – 2020-21.

These guidelines contain information for the Round 2 proof of concept grants.

The objectives of the grant opportunity are:

- development of an innovative solution to the challenge
- increased potential to commercialise the proof of concept.

The intended outcome of the grant opportunity is to develop a proof of concept or prototype of the proposed solution with the ability to commercialise in domestic and international markets in the future. This document sets out:

- the eligibility and merit criteria
- how we consider and assess grant applications
- how we monitor and evaluate grantees
- responsibilities and expectations in relation to the opportunity.

¹ <https://www.finance.gov.au/sites/default/files/commonwealth-grants-rules-and-guidelines.pdf>

² <http://www.finance.gov.au/procurement/procurement-policy-and-guidance/commonwealth-procurement-rules/>

The Department of Industry, Innovation and Science (the department) is responsible for administering the grant opportunity.

We have defined key terms used in these guidelines in appendix A.

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

3. Challenges

The challenges for Round 2 of the program are:

- Fast and secure digital identity verification for people experiencing family and domestic violence
- Intelligent data to transform tourism service delivery
- Uplifting government capability to help deliver world-leading digital services
- Managing the biosecurity of hitchhiking pests and contaminants on shipping containers
- Automating complex determinations for Australian Government information.

For more detailed information on each of the challenges go to business.gov.au/BRIL.

4. Grants available

The grant amount will be up to 100 per cent of eligible project costs (grant percentage).

The maximum grant amount is \$1 million.

4.1. Project duration

The maximum grant period is 18 months.

5. Eligibility criteria

We cannot consider your application if you do not satisfy all eligibility criteria.

5.1. Who is eligible?

To be eligible you must:

- have completed a successful feasibility study that addressed one of the challenges in section 3.

6. Eligible grant activities

6.1. Eligible projects

To be eligible your project must:

- include eligible activities and eligible expenditure.

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

6.2. Eligible activities

A proof of concept builds on a feasibility study, and involves undertaking a set of activities to produce a working prototype or demonstration of an innovative solution to a challenge.

Eligible activities must directly relate to the project and can include work to determine:

- the nature, functionality and capabilities of the innovative solution;
- differentiation of the innovative solution from any similar existing products or services; and
- performance of the innovative solution in the relevant operational environment(s).

We may also approve other activities.

6.3. 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 guidelines on eligible expenditure, see appendix B.
- For guidelines on ineligible expenditure, see appendix C.

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 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 must not commence your project until you execute a grant agreement with the Commonwealth.

7. The merit criteria you need to address

To be competitive, you will need to address all merit criteria in your application. We will assess your application against each merit criterion using the weighting indicated.

The application form asks questions that relate to the merit criteria below. The amount of detail and supporting evidence you provide in your application should be relative to the project size, complexity and grant amount requested. You should provide evidence to support your answers. The application form displays size limits for answers.

We will only award funding to applications that score highly against all merit criteria, which is at least 50 per cent on each criterion, as these represent best value for money.

7.1. Merit criterion 1

Extent that your proposed solution meets the challenge (30 points).

You should demonstrate this by identifying:

- a. how the proposed solution will meet the challenge
- b. how the proposed solution is different to what is already in the market
- c. the value for money including the social, environmental and economic benefit of the solution
- d. your feasibility study report.

7.2. Merit criterion 2

Market opportunity of your proposed solution (30 points).

You should demonstrate this by identifying:

- a. the market need for the proposed solution within government
- b. a commercialisation plan that includes the future commercial potential of the solution in domestic and/or international markets. Include:
 - a clear set of objectives
 - a clearly defined path to market
 - the size of the target market and define the type of customer
 - your Intellectual Property strategy
 - your manufacturing strategy (where applicable)
 - your financial plan
 - your capacity and capability or ability to access capability to deliver on the commercialisation plan.

7.3. Merit criterion 3

Capacity, capability and resources to deliver the project (40 points)

You should demonstrate this by identifying:

- a. your track record managing similar projects and access to personnel with the right skills and experience
- b. your access, or future access to, any infrastructure, capital equipment, technology and intellectual property
- c. a sound project plan to manage and monitor the project and risks
- d. your project budget.

8. How to apply

Before applying, you should read and understand these guidelines, read the information about the [challenges](#) and the sample [grant agreement](#) published on [business.gov.au](#) and GrantConnect.

To apply, you must:

- complete the online [program application form](#) on [business.gov.au](#)
- provide all the information requested
- address all eligibility and merit criteria
- include all necessary attachments.

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 1995* (Cth). 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.

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 [contact us](#) at business.gov.au or by calling 13 28 46.

8.1. Attachments to the application

We require the following documents with your application:

- feasibility study report (template provided on [business.gov.au](#)³ and GrantConnect)
- letter/s of support where applicable for joint applications and other project partners (template provided on [business.gov.au](#)⁴ and GrantConnect)
- project plan
- budget plan
- commercialisation plan

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.

8.2. Timing of grant opportunity

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

Table 1: Expected timing for this grant opportunity

Activity	Timeframe
Assessment of applications	4 weeks
Approval of outcomes of selection process	4 weeks
Negotiations and award of grant agreements	4 weeks
Notification to unsuccessful applicants	2 weeks
Earliest start date of project	January 2020
End date of grant commitment	June 2021

8.3. Joint applications

We recognise that some organisations may want to join as a group to deliver a project. In these circumstances, you must appoint a lead organisation. Only the lead organisation can submit the application form and enter into the grant agreement with the Commonwealth. The application should identify all other members of the proposed group and include a letter of support from each of the project partners. Each letter of support should include:

- details of the project partner
- an overview of how the project partner will work with the lead organisation and any other project partners in the group to successfully complete the project

³ <https://www.business.gov.au/assistance/business-research-and-innovation-initiative#key-documents>

⁴ <https://www.business.gov.au/assistance/business-research-and-innovation-initiative#key-documents>

- an outline of the relevant experience and/or expertise the project partner will bring to the group
- the roles/responsibilities the project partner will undertake, and the resources it will contribute (if any)
- details of a nominated management level contact officer.

You must have a formal arrangement in place with all parties.

9. The selection process

We first assess your application against the eligibility criteria. Only eligible applications will proceed to the merit assessment stage. The merit assessment has two stages and each application is assessed and ranked within the relevant challenge.

9.1. Merit assessment by challenge agencies

We will forward your application to the relevant participating agency or agencies who nominated the challenge to assess and rank the applications within that challenge against the merit criteria.

9.2. Merit assessment by Innovation and Science Australia

We will then refer applications within each challenge to Innovation and Science Australia. Innovation and Science Australia will assess your application against the merit criteria, compare it to other eligible applications within each challenge and consider the challenge agencies assessments of the applications, before recommending which projects to fund.

Innovation and Science Australia will make recommendations to the Program Delegate on which applications are suitable for funding. To be recommended as suitable for funding, your application must score highly against each merit criterion and represent value for money.

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.

9.3. Final decision

The Program Delegate (a Manager within the department with responsibility for the program) decides which grants to approve taking into account the recommendations of Innovation and Science Australia and the availability of grant funds.

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

- the approval of applications for funding
- the amount of grant funding awarded
- the terms and conditions of 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.

10. Notification of application outcomes

If you are successful, you will receive a written offer, including any specific conditions attached to the grant.

If you are unsuccessful, we will notify you in writing and give you an opportunity to discuss the outcome with us.

11. If your application is successful

11.1. Grant agreement

You must enter into a grant agreement with the Commonwealth. A sample [grant agreement](#) is available on business.gov.au and GrantConnect.

We must execute a grant agreement with you before we can make any payments. We are not responsible for any expenditure you incur before a grant agreement is executed. You must not start any program activities 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 funding.

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

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

11.1.1. Standard grant agreement

We will use a standard 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.

11.2. Project specific legislation, policies and industry standards

You are required to be compliant with all relevant laws and regulations. Wherever the government funds research activities, the following special regulatory requirements may apply:

- Working with Vulnerable People registration
- Working with Children Checks

To be eligible, you must declare in your application that you comply with these requirements. You will need to declare you can meet these requirements in your grant agreement with the Commonwealth.

11.3. 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)
- any in-kind contributions you will make
- any financial contribution provided by you or a third party.

We will not exceed the maximum grant amount under any circumstances. If you incur extra costs, you must meet them 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.

11.4. How we monitor your project

You must submit reports in line with the grant agreement. We will provide sample templates for these reports as appendices in the grant agreement. You will also be able to download them from business.gov.au and GrantConnect. 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
- contributions of participants directly related to the project.

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.

11.4.1. Progress reports

Progress reports must:

- include details of your progress towards completion of agreed project activities
- show the total eligible expenditure incurred to date
- 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.

11.4.2. Final report

When you complete the project, you must submit a final report.

Final reports must:

- include the agreed evidence as specified in the grant agreement
- identify the total eligible expenditure incurred for the project
- be submitted by the report due date.
- be in the format provided in the grant agreement.

You must develop a proof of concept report using the template provided (on business.gov.au⁵ and GrantConnect) and submit it as per the grant agreement.

11.4.3. Ad-hoc report

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.

11.4.4. 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

⁵ <https://www.business.gov.au/assistance/business-research-and-innovation-initiative#key-documents>

statement of grant income and expenditure. The report template is attached to the sample grant agreement.

11.4.5. 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.

11.4.6. Challenge management group

There will be a challenge management group for each challenge. This working group is responsible for supporting the efficient and effective management of the challenge projects.

Each challenge management group will comprise:

- an officer/s from AusIndustry with a working knowledge of the Business Research and Innovation Initiative
- an officer/s from the challenge agency who has a high level of technical understanding of the challenge problem.
- a representative/s from the grantee for their individual project.

The challenge management group will provide:

- a transparent process to answer grantee questions regarding the challenge and to ensure that all grantees have equal access to information from the participating agency relevant to that grantee's project and within the limits of appropriate commercial confidentiality
- advice and support to grantees or the participating agency as required to assist the successful completion of each project and the challenge as a whole
- advice to the program delegate in relation to any requests for variations to projects.

The challenge management group will report to the Program Delegate.

We may ask you to demonstrate or present your findings to the challenge management group or participating agency at the mid-point and towards the end of your project. This would assist in ensuring there is an in-depth understanding of your findings and proposed solution.

11.5. 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 period
- changing project activities.

Note 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 grant agreement end date.

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.

11.6. 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.

11.7. Evaluation

We will evaluate the program as a whole after the proof of concept stage is completed to determine the extent to which the funded activity is contributing to the program objectives and outcomes. We may use information from your application 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 after you finish your project for more information to assist with this evaluation.

11.8. Tax obligations

If you are registered for the Goods and Services Tax (GST), we will add GST to your grant payment where applicable 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.

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.

11.9. Grant acknowledgement

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

‘This project received grant funding from the Australian Government.’

12. Conflicts of interest

12.1. Your conflict of interest responsibilities

A conflict of interest will occur if your private interests conflict with your obligations under the grant. Conflicts of interest could affect the awarding or performance of your grant. A conflict of interest can be:

- real (or actual)
- apparent (or perceived)
- potential.

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

If you later identify that there is an actual, apparent, or potential conflict of interest or that one might arise in relation to your grant, you must inform us in writing immediately.

12.2. Our conflict of interest responsibilities

We recognise that conflicts of interest may arise with our staff, technical experts, committee members and others delivering the program between:

- their program duties, roles and responsibilities and
- their private interests.

We manage our conflicts of interest according to the APS Code of Conduct (section 13 (7) of the *Public Service Act 1999* (Cth)). We publish our [conflict of interest policy](#)⁶ on the department's website.

Program officials must declare any conflicts of interest. If we consider a conflict of interest is a cause for concern, that official will not take part in the assessment of relevant applications under the program.

13. How we use your information

Unless the information you provide to us is:

- confidential information as per 13.1, or
- personal information as per 13.3,

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.

6

<https://www.industry.gov.au/AboutUs/InformationPublicationScheme/Ourpolicies/Documents/Conflict-of-Interest-and-Inside-Trade-Expectations-Policy.pdf>

13.1. 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. 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
- 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.

13.3. How we use your personal information

We must treat your personal information according to the Australian Privacy Principles (APPs) and the *Privacy Act 1988* (Cth). 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 [Privacy Policy](#)⁷ 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.

⁷ <https://www.industry.gov.au/data-and-publications/privacy-policy>

13.4. Public announcement

We will publish non-sensitive details of successful projects on GrantConnect and business.gov.au. We are required to do this by the *Commonwealth Grants Rules and Guidelines* and the [Australian Government Public Data Policy Statement](#)⁸, unless otherwise prohibited by law. 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.

We publish this information to ensure open access to non-sensitive data within Australian Government agencies to enable greater innovation and productivity across all sectors of the Australian economy.

13.5. Freedom of information

All documents in the possession of the Australian Government, including those about the program, are subject to the *Freedom of Information Act 1982* (Cth) (FOI Act).

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.

14. Enquiries and feedback

For further information or clarification, you can contact us on 13 28 46 or by [web chat](#) or through our [online enquiry form](#) on business.gov.au.

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

Our [Customer Service Charter](#) 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 - Support for Business

Department of Industry, Innovation and Science

⁸ <https://www.pmc.gov.au/resource-centre/public-data/australian-government-public-data-policy-statement>

GPO Box 2013
CANBERRA ACT 2601

You can also contact the [Commonwealth Ombudsman⁹](#) with your complaint (call 1300 362 072). There is no fee for making a complaint, and the Ombudsman may conduct an independent investigation.

⁹ <http://www.ombudsman.gov.au/>

Appendix A. Definitions of key terms

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.
Challenge agency	The participating Australian Government agency or agencies who nominated the challenge.
Challenge management group	A working group made up of representatives from the department, challenge agency and the grantee. The group is responsible for supporting the efficient and effective management of the challenge projects.
Department	The Department of Industry, Innovation and Science.
Eligible activities	The activities undertaken by a grantee in relation to a project that are eligible for funding support as set out in 6.2.
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 6.3.
Eligible expenditure guidelines	The guidelines that are at Appendix B.
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.
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.
Ineligible expenditure guidelines	The guidelines that are at Appendix C.
Innovation and Science Australia	The statutory board established by the <i>Industry Research and Development Act 1986</i> (Cth) and named in that Act as Innovation and Science Australia.
Minister	The Commonwealth Minister for Industry, Science and Technology.
Non-income-tax-exempt	Not exempt from income tax under Division 50 of the <i>Income Tax Assessment Act 1997</i> (Cth) or under Division 1AB of Part III of the <i>Income Tax Assessment Act 1936</i> (Cth).

Term	Definition
Personal information	<p>Has the same meaning as in the <i>Privacy Act 1988</i> (Cth) which is:</p> <p>Information or an opinion about an identified individual, or an individual who is reasonably identifiable:</p> <ol style="list-style-type: none"> a. whether the information or opinion is true or not; and b. whether the information or opinion is recorded in a material form or not.
Program Delegate	A 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.
Publicly funded research organisation (PFRO)	All higher education providers listed at Table A and Table B of the <i>Higher Education Support Act 2003</i> (Cth) and corporate Commonwealth entities, and State and Territory business enterprises which undertake publicly funded research.

Appendix B. Eligible expenditure

This section provides guidelines on the eligibility of expenditure. We may update these guidelines from time to time, so you should make sure you have the current version from the business.gov.au website before preparing your application.

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.

14.1. 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.

14.2. 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.

We consider costs for technical, but not administrative, project management activities eligible labour expenditure. However, we limit these costs to 10 per cent of the total amount of eligible labour expenditure claimed.

We consider labour expenditure for leadership or administrative staff (such as CEOs, CFOs, Managing Directors, eligible expenditure if they are working on core elements of the project.

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.

14.3. Labour on-costs and administrative overhead

You may increase eligible salary costs by an additional 30% 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:

$$\text{Eligible salary costs} = \text{Annual salary package} \times \frac{\text{Weeks spent on project}}{52 \text{ weeks}} \times \text{percentage of time spent on project}$$

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.

14.4. 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.

14.5. 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.

14.6. Other eligible expenditure

Other eligible expenditures for the project may include:

- commissioning
- building modifications where you own the modified asset and the modification is required to undertake the project, for example installing a clean room. Modifications to leased buildings may be eligible. You must use the leased building for activities related to your manufacturing process.
- staff training that directly supports the achievement of project outcomes
- financial auditing of project expenditure
- 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% of the eligible project costs. Note that we make payments based on actual costs incurred.

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 C. Ineligible expenditure

This section provides guidelines 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
- any in-kind contributions
- financing costs, including interest
- capital expenditure for the purchase of assets such as office furniture and equipment, motor vehicles, computers, 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
- 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
- maintenance costs
- costs of manufacturing production inputs
- routine operational expenses, including communications, accommodation, office computing facilities, printing and stationery, postage, legal and accounting fees and bank charges
- 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% 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.