



Australian Government

Department of Industry, Science and Resources

Department of Employment and Workplace Relations

Grant Opportunity Guidelines

Business Research and Innovation Initiative (BRII): Workplace Relations Usability Challenge – Proof of Concept Grant

Opening date:	19 September 2024
Closing date and time:	5.00pm Australian Eastern Daylight Time on 30 October 2024 Please take account of time zone differences when submitting your application.
Commonwealth policy entity:	Department of Employment and Workplace Relations (DEWR)
Administering entity:	Department of Industry, Science and Resources (DISR)
Enquiries:	If you have any questions, contact us on 13 28 46.
Date guidelines released:	26 October 2023
Type of grant opportunity:	Closed competitive

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1. Business Research and Innovation Initiative (BRII): Workplace Relations Usability Challenge – Proof of Concept Grant processes

The Business Research and Innovation Initiative (the program) is designed to achieve Australian Government objectives

This grant opportunity is part of the above grant program which contributes to the Department of Employment and Workplace Relations Outcome 3. We work 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.



Successful applicants from the Feasibility grants stage are invited to complete and submit a Proof of Concept grant application

You complete the application form, addressing all Proof of Concept criteria.



We assess all grant applications

We review the applications against eligibility criteria and notify you if you are not eligible. The challenge agency and the Entrepreneurs' Programme Committee of Industry, Innovation and Science Australia assess eligible applications against the 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 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 complete 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 Program

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

1.1. Introduction

These guidelines contain information for the Workplace Relations Usability Challenge – Proof of concept grants.

This document sets out:

- the eligibility and assessment criteria
- 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 Department of Industry, Science and Resources (the department/DISR) is responsible for administering this grant opportunity on behalf of the Department of Employment and Workplace Relations (the challenge agency/DEWR).

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. About the grant program

The Business Research and Innovation Initiative (the program/BRII) provides small to medium sized enterprises (SMEs) with grant funding to develop innovative solutions for government policy and service delivery challenges. The objectives of the program are:

- to provide SMEs with grant funding to develop innovative solutions for government policy and service delivery challenges
- to drive innovation within SMEs and government by encouraging the development of innovative solutions by SMEs to public policy and service delivery challenges.
- to encourage private sector innovation to help address public policy and service delivery challenges, enabling a comparison of different proposed solutions and their commercial viability with project partners.

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 SME's confidence and awareness when working with government as a possible customer
- encourage Australian Government agencies to participate in sourcing innovative solutions.

The program has two stages:

Stage 1: FEASIBILITY	Stage 2: PROOF OF CONCEPT
<ol style="list-style-type: none">1. SMEs apply to respond to a challenge2. Challenge agency assesses and ranks applications against the assessment criteria3. Industry, Innovation and Science Australia assess applications, consider the challenge agency assessment and recommend which projects to fund	<ol style="list-style-type: none">1. Successful feasibility SMEs apply for proof of concept grant2. Challenge agency assesses and ranks applications against the assessment criteria3. Industry, Innovation and Science Australia assess applications, consider

Stage 1: FEASIBILITY	Stage 2: PROOF OF CONCEPT
4. Program Delegate approves recommended applications for funding 5. Successful SMEs conduct feasibility studies	the challenge agency assessment and recommend which projects to fund 4. Program Delegate approves recommended applications for funding 5. Successful SMEs conduct proof of concept project

There will be two grant opportunities as part of this program, the feasibility grant opportunity and the proof of concept grant opportunity. You can only apply for the proof of concept grant opportunity if you have successfully completed a feasibility grant under stage 1. 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. About the Workplace Relations Usability Challenge – Proof of Concept grant opportunity

This grant opportunity was announced as part of the Business Research and Innovation Initiative program. Funding of \$2.5 million is available to support and drive the development and uptake of technology solutions to support engagement with modern awards. This grant opportunity will focus specifically on making it easier for small and medium sized enterprises (SMEs) to engage with modern awards.

The objectives of the grant opportunity are:

- to facilitate the development of technologies that support SMEs to find, navigate and utilise information to support their engagement with modern award obligations
- to seek innovative uses of the Fair Work Commission’s Modern Award Pay Database that supports SMEs to access modern award calculated rates of pay that are provided in the Modern Awards Pay Database.

The intended outcomes of the grant opportunity are:

- the completion of a project demonstrating the scientific, technical and commercial feasibility of your proposed solution to the challenge outlined in Section 2.4.

2.2. Stage 1 – Feasibility

During this stage you must complete a feasibility that addresses the challenge in Section 2.4. The maximum grant amount for a feasibility grant is \$100,000 with a maximum grant period of three months. There is a total allocation of \$500,000 for the feasibility grant opportunity.

2.3. Stage 2 – Proof of concept

After successfully completing your feasibility under the program, we will invite you to apply for a competitive grant for the development of a proof of concept addressing the same challenge. The maximum grant amount is \$1,000,000 with a maximum grant period of 18 months. There is a total allocation of \$2 million for the proof of concept grant opportunity.

¹ <https://www.finance.gov.au/government/commonwealth-grants/commonwealth-grants-rules-guidelines>

At the completion of the proof of concept stage, we expect grantees, in the first instance, to conduct negotiations for any potential sale of the solution to DEWR 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 and or state and territory government agencies 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 and to state and territory government agencies.

2.4. Challenge

This grant opportunity aims to support the development of technologies that will assist SMEs to find, navigate, and utilise modern awards. As part of this challenge grantees are required to utilise the Fair Work Commission's Modern Awards Pay [Database](#) (MAPD) to ensure up-to-date information on modern awards minimum rates of pay, allowances, overtime and penalty rates data is integrated in the final solution. The Fair Work Commission has released an application programming interface (API) that grantees could consider using in their design solution. Grantees must use the MAPD, but they may also use data from other sources. Challenge participants must have regard to the Fair Work Commission's MAPD [Disclaimer](#) available on the Fair Work Commission [website](#) and the MAPD API [terms of use](#) and [important information](#) statement when using these data sources.

The challenge for supporting the implementation of the Workplace Relations Usability Feasibility grant opportunity is:

- “Using technology to improve the user experience of SMEs engaging with modern awards”.

For more detailed information on the challenge, go to [BRII page](#).

3. Grant amount and grant period

The Australian Government has announced a total of \$2.5 million over 3 years for both stages. For this grant opportunity \$2 million is available over 18 months.

3.1. Grants available

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

- The maximum grant amount is \$1 million.

You are responsible for the remaining eligible and ineligible project costs.

We cannot fund your project if it receives funding from another Commonwealth government grant. You can apply for a grant for your project under more than one Commonwealth program, but if your application is successful, you must choose either the Business Research and Innovation Initiative (BRII) grant or the other Commonwealth grant.

3.2. Project period

The maximum project period is eighteen months.

You must complete your project within eighteen months of execution of the grant agreement.

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

4. Eligibility criteria

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

4.1. Who is eligible?

To be eligible you must have completed a successful feasibility that addresses the challenge in section 2.4.

4.2. Additional eligibility requirements

We can only accept applications where:

- you have a combined annual turnover of less than \$20 million for each of the three financial years prior to the lodgement of the application (unless you are controlled by a Publicly Funded Research Organisation, including university spinoffs with at least 40 per cent university ownership, in which case you must have annual turnover in isolation of less than \$20 million for each of the three financial years prior to lodgement of the application)
- you provide all mandatory attachments (see section 7.1).

We cannot waive the eligibility criteria under any circumstances

4.3. Who is not eligible?

You are not eligible to apply if:

- you have not completed a feasibility stage under the program
- you are a Commonwealth, state or local government agency or body (including government business enterprises)
- you are an organisation, or your project partner is an organisation, included on the [National Redress Scheme's website](#) on the list of 'Institutions that have not joined or signified their intent to join the Scheme'
- you are an employer of 100 or more employees that has [not complied](#) with the *Workplace Gender Equality Act (2012)*.

5. What the grant money can be used for

5.1. Eligible activities

A proof of concept builds on a feasibility stage 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.

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, refer to appendix A.

- For guidance on ineligible expenditure, refer to 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 a manager within the department with responsibility for administering 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 must not commence your project until you execute a grant agreement with the Commonwealth.

6. The assessment criteria

You must address all assessment criteria in your application. The Committee will assess your application based on the weighting given to each criterion.

The application form asks questions that relate to the assessment 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 character limits for each response.

We will only consider funding applications that score at least 50 per cent against each assessment criterion, as these represent best value for money.

6.1. Assessment criterion 1

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

You should demonstrate this by identifying:

- a. how your proposed solution solves the challenge
- b. how your proposed solution will interact with the Fair Work Commission's Modern Awards Pay [Database](#)
- c. the uniqueness of your proposed solution relative to what is already in the market
- d. the value for money including the social, environmental and economic benefits of the solution
- e. your feasibility report.

6.2. Assessment criterion 2

Market opportunity of your proposed solution (30 points).

You should demonstrate this by identifying:

- a. the clear commercial potential to create a marketable product, process or service for customers beyond the challenge agency, including a plan to deliver the solution
- 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.

6.3. Assessment 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.

7. How to apply

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

To apply, you must:

- complete and submit your application through the online portal
- provide all the information requested
- address all eligibility and assessment criteria
- include all necessary attachments.

You can view and print a copy of your submitted application on the portal for your own records.

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). 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.

After submitting your application, we may contact you for clarification if we find an error or any missing information, including evidence that supports your eligibility/merit. The acceptance of any additional information provided after the submission of your application is at the discretion of the Program Delegate. Additional information should not materially change your application at the time it was submitted and therefore may be refused if deemed to be purely supplementary.

If you need further guidance around the application process, or if you have any issues with the portal, [contact us](#) at business.gov.au or by calling 13 28 46.

7.1. Attachments to the application

You must provide the following documents with your application:

- Feasibility report
- project plan including a detailed budget
- commercialisation plan
- financial turnover declaration (template provided on business.gov.au and GrantConnect)

and, where applicable:

- project partner letter/s of support (see section 7.2).

You must attach supporting documentation to the application form in line with the instructions provided within the form. You should only attach requested documents. The total of all attachments cannot exceed 20MB. We will not consider information in attachments that we do not request.

7.2. Joint applications

We recognise that some organisations may want to join together 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 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
- 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 prior to execution of the grant agreement.

We encourage applicants to consider partnering with academics, unions, employer groups and other stakeholders in the industrial relations community to develop solutions that will solve this challenge.

7.3. Timing of grant opportunity

You can only submit an 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 within 6 weeks of receiving the offer of grant funding.

Table 1: Expected timing for this grant opportunity

Activity	Timeframe
Assessment of applications	8 weeks
Committee	4 weeks
Approval and announcement of successful applicants	4 weeks
Negotiations of grant agreements	4 weeks
Notification to unsuccessful applicants	2 weeks
Earliest start date of project	September 2024
Project completion date	within 18 months of execution of grant agreement
End date of grant commitment	June 2026

8. The grant selection process

We first review your application against the eligibility criteria. If eligible, we will then assess it against the assessment criteria. Only eligible applications will proceed to the assessment stage.

We consider your application on its merits, based on:

- how well it meets the criteria
- how it compares to other applications
- whether it provides value with relevant money.

When assessing whether the application represents value with relevant money, we will have regard to:

- the overall objectives of the grant opportunity
- the evidence provided to demonstrate how your project contributes to meeting those objectives
- the relative value of the grant sought.

8.1. Assessment by challenge agency

The Challenge agency assesses and ranks applications against the assessment criteria before deciding which applications to support.

8.2. Assessment by Industry, Innovation and Science Australia

We then refer supported applications within each challenge to Industry Innovation and Science Australia (IISA). The Entrepreneurs' Programme Committee (EPC), a committee of IISA, will assess your application against the assessment criteria, compare it to other eligible applications within each challenge and consider the challenge agency's assessments of the applications, before recommending to the Program Delegate which projects to fund.

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.

8.3. Who will approve grants?

The Program Delegate decides which grants to approve taking into account the application assessment 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.

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 business.gov.au and GrantConnect.

We will manage the grant agreement through the online portal. This includes issuing and executing the grant agreement.

Execute means both you and the Commonwealth have accepted the agreement. You must not start any activities until a grant agreement is executed. We are not responsible for any expenditure you incur and cannot make any payments 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 Business Research Innovation Initiative (BRII) 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.

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, regulations and Australian Government sanctions 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)
- 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.

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 entities³.

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. Announcement of grants

We will publish non-sensitive details of successful projects on GrantConnect. We are required to do this by the [Commonwealth Grants Rules and Guidelines](#) 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.

³ See Australian Taxation Office ruling GSTR 2012/2 available at ato.gov.au

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
- 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.

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

12.2.1. 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.

12.2.2. 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 business.gov.au and GrantConnect.

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.

12.4.1. Challenge management group

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

The challenge management group will comprise:

- an officer/s from DISR with a working knowledge of the program
- an officer/s from the challenge agency who has a high level of technical understanding of the challenge problem
- a representative/s from each grantee for the challenge.

The challenge management group will provide:

- a transparent process to answer your questions regarding the challenge and to ensure that you have equal access to information from the challenge agency relevant to your project and within the limits of appropriate commercial confidentiality
- advice and support to you or the challenge agency as required to assist the successful completion of the 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 present your findings to the challenge management group or challenge agency towards the end of your project. This will assist in ensuring there is an in-depth understanding of your findings and proposed solution.

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 allowed in program guidelines
- 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. You can submit a variation request via our online portal.

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 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 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.'

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. 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 Australian [Public Service Code of Conduct \(Section 13\(7\)\)](#)⁴ of the *Public Service Act 1999* (Cth). Committee members and other officials including the decision maker must also declare any conflicts of interest.

We publish our [conflict of interest policy](#)⁵ on the department's website. The Commonwealth policy entity also publishes a conflict of interest policy on its 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
- to the responsible Minister or Assistant Minister
- to a House or a Committee of the Australian Parliament.

⁴ <https://www.legislation.gov.au/Details/C2019C00057>

⁵ https://www.industry.gov.au/sites/default/files/July%202018/document/pdf/conflict-of-interest-and-insider-trading-policy.pdf?acsf_files_redirect

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 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](#)⁶ 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 *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.

13.3. 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.

⁶ <https://www.industry.gov.au/data-and-publications/privacy-policy>

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:

General Manager
Business Grants Hub
Department of Industry, Science and Resources
GPO Box 2013
CANBERRA ACT 2601

You can also contact the [Commonwealth Ombudsman](#)⁷ with your complaint (call 1300 362 072). There is no fee for making a complaint, and the Ombudsman may conduct an independent investigation.

14. Glossary

Term	Definition
Administering entity	The entity that is not responsible for the policy however is responsible for the administration of part or all of the grant administration processes.
Application form	The document issued by the Program Delegate that applicants use to apply for funding under the program.
Assessment criteria	The specified principles or standards, against which applications will be judged. These criteria are also used to assess the merits of proposals and, in the case of a competitive grant opportunity, to determine application ranking.
Department	The Department of Industry, Science and Resources.
Decision maker	The person who makes a decision to award a grant.
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.
Eligibility criteria	The mandatory criteria, which must be met to qualify for a grant. Assessment criteria may apply in addition to eligibility criteria.
Eligible expenditure	The expenditure incurred by a grantee on a project and which is eligible for funding support as set out in 5.2.

⁷ <http://www.ombudsman.gov.au/>

Term	Definition
Eligible expenditure guidance	The guidance that is provided at Appendix A.
Entrepreneurs' Programme Committee (EPC)	A committee of Industry Innovation and Science Australia.
FWC	Fair Work Commission
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.
Industry Innovation and Science Australia (IISA)	An independent statutory board of entrepreneurs, investors, researchers and educators that provides advice to the Australian Government on innovation, science and research matters.
MAPD	Modern Awards Pay Database
Minister	The Commonwealth Minister for Employment and Workplace Relations
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).
Personal information	Has the same meaning as in the <i>Privacy Act 1988</i> (Cth) which is: Information or an opinion about an identified individual, or an individual who is reasonably identifiable: 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 administering the program.
Program funding or Program funds	The funding made available by the Commonwealth for the program.

Term	Definition
Project	A project described in an application for grant funding under the program.
SME	Small and Medium sized Enterprises

Appendix A. Eligible expenditure

This section provides guidance on the eligibility of expenditure. We may update this guidance from time to time; check you are referring to the most 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 (where applicable)
- meet the eligible expenditure guidelines.

A.1 How we verify eligible expenditure

If your application is successful, we may 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.

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.

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 do not consider labour expenditure for leadership or administrative staff (such as CEOs, CFOs, accountants and lawyers) as eligible expenditure, even if they are doing project management tasks.

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 purchase or provision of computing equipment directly required or related to the delivery of the project

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.

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:

- 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, the cost of an independent audit of project expenditure (where we request one) up to a maximum of 1 per cent of total eligible 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 per cent 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 B. Ineligible expenditure

This section provides guidance on what we consider ineligible expenditure. We may update this guidance from time to time; check you are referring to the most current version from the [business.gov.au](https://www.business.gov.au) website before preparing your application.

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
- routine operating expenses not accounted as labour on-costs – including communications, accommodation, overheads and consumables, e.g. paper, printer cartridges, office supplies
- 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.