



發展品牌、升級轉型及  
拓展內銷市場的專項基金  
Dedicated Fund on Branding,  
Upgrading and Domestic Sales

# Guide to Application for the Dedicated Fund on Branding, Upgrading and Domestic Sales

## Mainland Programme

Effective from 1 August 2018



香港特別行政區政府  
The Government of the  
Hong Kong Special Administrative Region



Hong Kong  
Productivity Council  
香港生產力促進局



## **CONTENTS**

	<b>PAGE</b>
<b>1. GENERAL</b>	<b>3</b>
1.1 Background	
1.2 Objective of the Programme	
1.3 Scope of the Programme	
1.4 Types of Project	
1.5 Funding Amount and Principles	
1.6 Application Period	
<b>2. ELIGIBILITY</b>	<b>6</b>
2.1 Eligibility of Applicants	
2.2 Eligibility of Qualified Service Providers for “Type (i) Project Applications”	
<b>3. APPLICATION</b>	<b>8</b>
3.1 Application Submission	
3.2 Application Processing	
3.3 Resubmissions	
3.4 Withdrawals	
<b>4. ASSESSMENT AND VETTING</b>	<b>11</b>
4.1 Assessment Procedures	
4.2 Assessment Timetable	
4.3 Vetting Criteria	
4.4 Avoidance of Conflict of Interest	
4.5 Notification of Results	
<b>5. FUNDING ARRANGEMENT/FINANCIAL MANAGEMENT</b>	<b>13</b>
5.1 Disbursement of Grant	
5.2 Budget of the Project	
5.3 Account and Interest	
5.4 Books and Records	
5.5 Financial Reports	
5.6 Procurement Procedures	
5.7 Avoidance of Conflict of Interest in Engaging Service Providers, Consultants and Contractors	
5.8 Risk and Title to Equipment	
5.9 Hiring of Project Staff	
5.10 Return of Residual Funds	
<b>6. REPORTING REQUIREMENT</b>	<b>24</b>
6.1 Progress/Final Reports	
6.2 Report Resubmissions	
<b>7. ADMINISTRATIVE HIGHLIGHTS</b>	<b>26</b>
7.1 Contractual Requirements	
7.2 Appointment of Project Coordinators	

7.3	Prior Approval Requirements	
7.4	Suspension and Termination of Funding Support	
7.5	Intellectual Property Rights	
7.6	Participation in Publicity and Promotional Activities	
7.7	Acknowledgement of Funding Support and Disclaimer	
7.8	Assignment	
7.9	Handling of Information	
7.10	Indemnity	
7.11	Prevention of Bribery	
<b>8.</b>	<b>ENQUIRIES</b>	<b>30</b>
	<b>ANNEXES:</b>	<b>31</b>
1.	Detailed Scope of Branding, Upgrading and Restructuring and Domestic Sales	
2.	The Requirement of Substantive Business Operations in Hong Kong	
3.	Expenditure Items that may be funded under the Programme	
4.	Expenditure Items that will not be funded under the Programme	
5.	General Guidelines on Staff Recruitment	
6.	Quotation Invitation to Supplier and confirmation form by Supplier (re. Probity, Anti-collusion and Anti Bid-Rigging Requirements)	

## **1. GENERAL**

### **1.1 Background**

To help Hong Kong enterprises capture the opportunities arising from the National 12<sup>th</sup> Five-Year Plan, the Chief Executive announced in the 2011-12 Policy Address the proposal to set up a dedicated fund of \$1 billion to assist them in exploring and developing the Mainland market through developing brands, upgrading and restructuring their operations and promoting domestic sales in the Mainland. With the approval of funding by the Finance Committee of the Legislative Council in May 2012, the Hong Kong Special Administrative Region Government (the Government) set up the “Dedicated Fund on Branding, Upgrading and Domestic Sales” (the BUD Fund) in June 2012.

To help SMEs, including start-ups, grasp economic opportunities and boost their competitiveness, the 2018-19 Budget proposed to increase the cumulative funding ceiling per enterprise from \$500,000 to \$1,000,000 for projects involving the Mainland Market (the Mainland Programme). The Finance Committee of the Legislative Council approved the enhancement proposal and funding injection of \$1.5 billion in June 2018. The Government has engaged the Hong Kong Productivity Council (HKPC) as the Programme Secretariat of the BUD Mainland Programme.

This Guide to Application sets out the details of the BUD Mainland Programme (The Programme).

### **1.2 Objective of the Programme**

The objective of the Programme is to provide funding support for individual Hong Kong enterprises to undertake projects to develop brands, upgrade and restructure their business operations and promote sales in the Mainland, so as to enhance their competitiveness and facilitate their business development in the Mainland.

### **1.3 Scope of the Programme**

The Programme covers three areas, namely (i) branding; (ii) upgrading and restructuring; and (iii) domestic sales. Some examples that fall within the scope of these areas are as follows:

#### Branding

- (A) Brand Strategy and Positioning – corporate brand visioning, product and service planning;
- (B) Brand Building, Design and Communication – brand identity and personality development, rebranding;
- (C) Brand Management – brand assessment, brand protection; and
- (D) Brand Tracking – brand equity research and brand sustainability study.

### Upgrading and Restructuring

- (A) Business Model Upgrading & Restructuring – from Original Equipment Manufacturing (OEM) to Original Design Manufacturing (ODM) and/or Own Branding & Manufacturing (OBM);
- (B) Product Innovation and Repositioning – product strategy, new product development;
- (C) Material Management – supply chain planning and execution;
- (D) Technology Upgrading – manufacturing technology upgrading, process and business automation;
- (E) Management Upgrading – world-class management system, business process re-engineering, quality improvement; and
- (F) Logistics Management – warehouse management, fleet management and distribution management.

### Domestic Sales

- (A) Domestic Sales Strategic Planning – visioning process and strategy formulation;
- (B) Domestic Sales Business Operation Management – operation transformation;
- (C) Domestic Sales Channel Management – marketing strategy and research, sales and distribution development;
- (D) Domestic Sales Team Formation and Management – staff development, and performance management.

More detailed elaborations of the scope of branding, upgrading and restructuring and domestic sales are at **Annex 1**.

## **1.4 Types of Projects**

1.4.1 Any projects falling within the scope of the Programme (i.e. any one or more areas of (i) branding; (ii) upgrading and restructuring; and (iii) domestic sales) that assist individual Hong Kong enterprises in enhancing their competitiveness and facilitating their business development in the Mainland are eligible for applying for funding support under the Programme. There are two types of eligible projects -

- (A) **“Type (i) Project Applications”**: projects that involve the engagement of qualified service providers by the applicants to **develop holistic business plans** in the areas of branding, upgrading and restructuring and/or domestic sales for the applicants to enhance their competitiveness and facilitate their business development in the Mainland; and
- (B) **“Type (ii) Project Applications”**: projects that involve the **implementation of specific measures** in the areas of branding,

upgrading and restructuring and/or domestic sales by the applicants themselves or implementation agents engaged by the applicants to enhance their competitiveness and facilitate their business development in the Mainland.

- 1.4.2 “Type (ii) Project Applications” are for applicants which already have a holistic business plan for developing the Mainland markets. For enterprises which have not yet developed such holistic business plans, they may apply for funding support under the Programme to engage qualified service providers to help develop the plans by submitting “Type (i) Project Applications” (eligibility of qualified service providers is set out in paragraph 2.2).
- 1.4.3 Project measures which have received/would receive any/other sources of funding support provided by the Government or the Mainland authorities, or other sources of sponsorships/donations will not be eligible for funding support under the BUD Fund. Applicants have to declare in their applications that the proposed project measures have not received such any/other sources of funding support and are not applying for such funding support at the time of application.
- 1.4.4 Ongoing projects being undertaken by individual enterprises are not eligible for funding support under the Programme unless the following criteria can be met:
- (A) the remaining part of the project can be conducted as a stand-alone project with separate and well defined deliverables;
  - (B) the commencement and completion dates of the remaining part of the project can be clearly identified; and
  - (C) the budget for the remaining part can be separately provided and justified.

## **1.5 Funding Amount and Principles**

- 1.5.1 Funding would be provided on a matching basis, i.e. the Government will cover a maximum of 50% of the total approved project cost and the enterprise has to contribute no less than 50% of the total approved project cost in cash (except the audit fee of approved project). The Government will provide full funding support for the audit fee of approved project, capped at \$10,000 per audit which will be counted towards the cumulative funding ceiling per enterprise. The cumulative funding ceiling per enterprise under the Programme is \$1,000,000 (including audit fee).
- 1.5.2 Related enterprises, i.e. enterprises registered as different businesses under the Business Registration Ordinance (Chapter 310) but having common shareholders (up to the ultimate level of natural persons if the enterprises are held by companies) whose equity interest is 30% or

more in each of the enterprises and having the same business nature, would be treated as one single enterprise for the purpose of calculating the cumulative funding amount (i.e. subject to the cumulative funding ceiling of \$1,000,000).

1.5.3 During the tenure of the Programme, funding support will be granted to each enterprise for a maximum of ten approved projects.

1.5.4 Each approved project should be completed within 24 months.

## **1.6 Application Period**

The Programme is open for application all year round.

## **2. ELIGIBILITY**

### **2.1 Eligibility of Applicants**

2.1.1 All non-listed enterprises<sup>1</sup> registered in Hong Kong under the Business Registration Ordinance (Chapter 310) with substantive business operations in Hong Kong are eligible to apply, irrespective of whether they belong to the manufacturing or service sector and whether they already have any business operations in the Mainland . A shell company or an enterprise having most of its main business operations outside Hong Kong will not be regarded as having substantive business operations in Hong Kong.

2.1.2 The applicant must provide documentary evidence proving its substantive business operations in Hong Kong at the time of application. Such evidence can be employee records, tax returns, business transaction documents such as business contracts, invoices, etc. Factors that will be taken into account in assessing the eligibility of the applicants with respect to this eligibility requirement and examples of the documents that may serve as the relevant proof are at **Annex 2**.

2.1.3 For an application which involves project implementation by the Mainland entity of the applicant, the applicant must provide documentary evidence proving its direct investment relationship with the Mainland entity. The applicant would be considered as having a direct investment relationship with the Mainland entity and thus eligible if it meets one of the following criteria:

- (A) the applicant (enterprise) holds more than 50% shareholding of the Mainland entity; or
- (B) one individual shareholder (natural person) with at least 30% shareholding of the applicant holds more than 50% of the

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<sup>1</sup> Subsidiaries of listed enterprises if they themselves are not listed are also eligible.

shareholding of the Mainland entity.

(C) the applicant (enterprise) and the Mainland entity are 100% held by the same group of shareholders (natural person).

2.1.4 Subject to the consideration of the Programme Management Committee (PMC), Mainland entity having other investment relationship with the applicant (enterprise) or the major shareholder (natural person) may also be considered as eligible. The applicant should provide documentary proof of the investment relationship for the PMC's consideration.

2.1.5 The applicant must maintain its eligibility as set out in sub-section 2.1 throughout the period of project implementation.

## **2.2 Eligibility of Qualified Service Providers for “Type (i) Project Applications”**

2.2.1 If the applicant requires external expertise to help develop the holistic business plan required for “Type (ii) Project Applications”, it may lodge a “Type (i) Project Application” to apply for funding under the Programme to engage a service provider complying with the following qualification requirements at the time of application for the purpose:

(A) having registered in Hong Kong under the Business Registration Ordinance (Chapter 310) for at least one year, or being a statutory organisation in Hong Kong;

(B) having at least one principal possessing five years or more practical experience of providing consultancy services related to branding, upgrading and restructuring and/or domestic sales (depending on the area(s) of focus of the project application) for enterprises in Hong Kong or the Mainland ; and

(C) having completed at least five projects in branding, upgrading and restructuring and/or domestic sales (depending on the area(s) of focus of the project application) at the time of application.

The principal must be actively engaged in the consultancy study throughout the whole study period. The above requirements may be subject to review and revision from time to time.

2.2.2 When submitting an application, the applicant is required to provide supporting documents proving the fulfillment of the qualification requirements set out in paragraph 2.2.1 by the service provider to be engaged for drawing up the holistic business plan, including the registration document of the service provider, work experience of the principal engaged, the relevant reference projects, etc. Engagement of the qualified service provider by the applicant has to follow the procurement procedures set out in paragraph 5.6.



- 2.2.3 Service provider(s)/consultant(s)/contractor(s) to be engaged by the applicant for implementing a “Type (ii) Project” are not required to meet the qualification requirements set out in paragraph 2.2.1.

### **3. APPLICATION**

#### **3.1 Application Submission**

- 3.1.1 Applications for the Programme are accepted all the year round. Applications received will be processed by batches, usually on a quarterly basis as set out in paragraph 3.2.
- 3.1.2 To apply for the Programme, the applicant should complete the Application Form for “Type (i) Project Application” or “Type (ii) Project Application” as appropriate under the “Mainland Programme”.
- 3.1.3 For a “Type (i) Project Application”, the applicant should identify and engage a qualified service provider meeting the qualification requirements set out in paragraph 2.2.1 to help develop the holistic business plan covered by the proposed project. In engaging the qualified service provider, the applicant should enter into a service contract with the service provider. There is no standard format or terms and conditions for such service contract under the Programme. It is up to the parties concerned to enter into a service contract setting out mutually agreed and binding terms covering the delivery of the project.
- 3.1.4 Copies of the latest version of the Application Forms can be obtained at the Programme Secretariat or downloaded from the website of the Programme ([www.bud.hkpc.org](http://www.bud.hkpc.org)). The Application Form is available in English and Chinese and may be completed in either language. No application fee will be charged.
- 3.1.5 The following documents are required to be submitted for an application under the Programme:
- (A) Duly completed and signed application form, with a soft copy in MS Word format, stating the company information of the applicant, information on the proposed project, including objective, methodology, schedule, budget, deliverables, expected benefits to be brought about to the applicant and Hong Kong economy, etc.

For a “Type (i) Project Application”, the company information of the qualified service provider which the applicant intends to engage for the development of the holistic business plan also has to be provided in the application form.

- (B) Registration and supporting documents of the applicant –
- (i) Copy of the Business Registration Certificate;
  - (ii) Copy of the documentary evidence showing the personal details of owners/shareholders holding 30% or more ownership (up to the ultimate level of natural persons if the applicant is held by company(ies)), e.g. Form 1(a) of the Business Registration Office, Annual Return of the Companies Registry (Form AR1), etc.;
  - (iii) Copy of the documentary evidence proving that the applicant has substantive business operations in Hong Kong (see **Annex 2** for examples of the documents that may serve as the relevant proof);
  - (iv) Copy of the documentary proof of the annual turnover of the applicant in the previous year (not applicable to applicants established for less than one year);
  - (v) Copy of the documentary evidence proving the direct investment relationship between the applicant and the Mainland entity which would be involved in project implementation, e.g. valid business license of the Mainland entity, processing trade contract signed between the applicant and the Mainland entity (only applicable to the project application which will involve the Mainland entity of the applicant in project implementation); and
  - (vi) Promotional pamphlets/publications introducing the applicant’s business/products/services.
- (C) Only applicable to “Type (i) Project Applications”: Registration and supporting documents of the qualified service provider –
- (i) Copy of the Business Registration Certificate; and
  - (ii) Copy of the documentary evidence showing that the service provider to be engaged for drawing up the holistic business plan meets the qualification requirements set out in paragraph 2.2.1.

The original of the above documents may be required for verification upon request.

3.1.6 For a “Type (ii) Project Application”, additional supporting documents would be required to be submitted together with the application under the following scenarios:

- (A) If the applicant has to obtain specific licence/qualification/certifications a pre-requisite for successful implementation of the proposed project (e.g. specific health or safety certificate issued by the Mainland authorities for the import/marketing/sale of the product covered by the proposed project in the Mainland), the applicant should provide

documentary evidence of having obtained the required licence/qualification/certification so as to demonstrate the viability of the project.

- (B) If the application involves licensing of a branded product/service by the brand owner to the applicant for marketing/sale of the product/service in the Mainland, the applicant should provide a copy of the relevant licensing/agency agreement and the agreement should at least cover the whole project implementation period of the proposed project.
- (C) If the application covers an element of brand building/promotion/development, the applicant should provide documentary evidence showing that the trademark covered by the proposed project has not yet been registered by other entities in the Mainland and that the applicant has already started the trademark registration process in the Mainland.
- (D) If the application involves the positioning of the brand covered by the proposed project as a “Hong Kong Brand” for marketing/sales in the Mainland, the applicant should provide documentary evidence showing that the trademark has already been registered in Hong Kong or the trademark registration process has already started in Hong Kong.

- 3.1.7 The completed application form together with copies of the required supporting documents set out in paragraph 3.1.5 and if applicable, paragraph 3.1.6 should be sent to the Programme Secretariat in person, by post or electronically (Address: Reception Counter, G/F, HKPC Building, 78 Tat Chee Avenue, Kowloon, Hong Kong). If the application is submitted in person, the applicant shall put the application form and supporting documents in the “BUD Fund Applications Collection Box” located at the G/F Reception Counter of the HKPC Building.
- 3.1.8 The applicant may submit the softcopy of the application form and copies of the supporting documents mentioned above to the Programme Secretariat via e-mail at bud\_sec@hkpc.org.
- 3.1.9 Acknowledgements of receipt will be sent to the applicants after the cut-off date of the relevant batch of applications as mentioned in paragraph 3.2.

### **3.2 Application Processing**

Applications will be processed by batches and the cut-off date for different batches of applications is usually set at the end of March, June, September and December. Applicants should pay attention to the actual cut-off date of each batch of applications which will be announced at the website of the Programme ([www.bud.hkpc.org](http://www.bud.hkpc.org)). Any applications received by the Programme Secretariat after a particular cut-off date will be processed together with the next batch of applications to be received by the next cut-off date.

### **3.3 Resubmissions**

An application that has been rejected may be resubmitted only if it has been revised substantially or it is supported by new evidence to address the comments made by the PMC and/or Government in previous vetting. A resubmitted application will be treated as a new application and will be subject to the same assessment procedures as set out in paragraph 4.1.

### **3.4 Withdrawals**

The applicant may write to the Programme Secretariat to withdraw an application at any time before the funding agreement is signed between the applicant and Programme Secretariat.

## **4. ASSESSMENT AND VETTING**

### **4.1 Assessment Procedures**

Applications received will be assessed according to the following procedures:

- (A) the Programme Secretariat will conduct an initial assessment of all applications. It may seek clarification or supplementary information from the applicants in the vetting process as necessary.
- (B) an Inter-departmental Committee (IDC), comprising members from relevant government departments<sup>2</sup>, will assess all applications having regard to the results of the initial assessment by the Programme Secretariat. The IDC will formulate its recommendations on the approval or otherwise of the applications, the amount to be granted, the terms and conditions for approving the grant, etc., for consideration by the PMC. The IDC may also request the Programme Secretariat to seek further clarification or supplementary information from the applicants as necessary.
- (C) the PMC, chaired by a senior government official and comprising ex-officio members and non-official members drawn widely from the trade, industrial

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<sup>2</sup> Including the Commerce and Economic Development Bureau, Create Hong Kong, Environmental Protection Department, Innovation and Technology Commission, and Trade and Industry Department.

and professional sectors, will further assess all applications having regard to the recommendations of the IDC. Based on the advice of the PMC, the Government would approve or otherwise the applications.

## **4.2 Assessment Timetable**

The PMC will usually meet once every three months for assessing the applications and the Programme Secretariat will inform the applicants of the outcome in writing.

## **4.3 Vetting Criteria**

4.3.1 All applications would be vetted by the Programme Secretariat, IDC and PMC based on individual merits of the applications. Main guiding principles are:

- (A) the project should lead to immediate or long-term business development of the applicant enterprise in the Mainland in the specific areas of branding, upgrading and restructuring and/or domestic sales;
- (B) the project should have good prospects of improving the competitive advantage of the applicant enterprise or its product/service in the Mainland<sup>3</sup>;
- (C) the project should have concrete deliverables to facilitate progress monitoring and evaluation of project outcome;
- (D) the project should include solid actions for developing business in the Mainland<sup>4</sup>;
- (E) the project should have a reasonable budget with itemised cost breakdown and detailed justifications of costs and expenses<sup>5</sup>.

4.3.2 Favourable consideration may be given to those projects which –

- (A) are likely to achieve early success and can act as the role model for other Hong Kong enterprises;
- (B) can achieve synergy effects amongst specific area(s) of branding, upgrading and restructuring and/or domestic sales;
- (C) have multiplying effect in bringing business opportunities for other Hong Kong enterprises by making use of products/services provided by other Hong Kong enterprises in implementing the project, or creating demand for products/services provided by

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<sup>3</sup> One of the considerations is whether the proposed project is, from a commercial angle, feasible and viable. For example, whether the product/service proposed to be sold in the Mainland has established a base in the market, whether the implementation plan of the project is concrete and clear, and whether the enterprise has adequate resources and ability to implement the project. PMC members drawn widely from the trade, industrial and professional sectors will provide valuable inputs in this regard.

<sup>4</sup> The proposed project should include elements targeting at the business development of the enterprise in the Mainland. If the project involves measures to be implemented in Hong Kong or other areas outside the Mainland, consideration will be given as to whether such measures could effectively assist the applicant enterprise in enhancing its competitiveness and furthering its business development in the Mainland.

<sup>5</sup> The budget of the proposed project should comply with the funding rules on budget caps and unallowable costs as set out in paragraph 5.2.1.

other Hong Kong enterprises, etc., thus benefitting the Hong Kong economy as a whole.

4.3.3 The Government aims to ensure a balanced mix of projects covering the three areas of branding, upgrading and restructuring and domestic sales as appropriate as well as a wide range of business sectors. In the event that there is a limit on the funding available for competing applications, priority would be given to those submitted by eligible small and medium enterprises, i.e. manufacturing businesses employing fewer than 100 employees and non-manufacturing businesses employing fewer than 50 employees in Hong Kong.

4.3.4 The Government may review and revise the above vetting criteria from time to time as appropriate. The most updated vetting criteria would be available at the website of the Programme ([www.bud.hkpc.org](http://www.bud.hkpc.org)).

#### **4.4 Avoidance of Conflict of Interest**

To avoid conflict of interest, non-official members of the PMC who are directly or indirectly related to an application will be required to declare his/her interests. Where considered appropriate, the Chairman may request members concerned to refrain from participating in the discussion on the relevant application.

#### **4.5 Notification of Results**

4.5.1 The Programme Secretariat will notify the applicant of the assessment result once the Government has made the decision having regard to the recommendation of the PMC. The reason of rejection will be stated in the notification if the application is declined.

4.5.2 An initial approval-in-principle will be given to the successful applicant. The successful applicant may be required to revise the project proposal in the application form to fulfil the conditions for approval set by the PMC and/or Government, if any. The project proposal (as included in the application form) approved by the Government (hereafter referred to as “Approved Project Proposal”) and this Guide will be appended to and form part of the funding agreement to be signed between the applicant and Programme Secretariat as referred to in paragraph 7.1.

### **5. FUNDING ARRANGEMENT/FINANCIAL MANAGEMENT**

#### **5.1 Disbursement of Grant**

5.1.1 All funding disbursement by the Programme Secretariat in respect of approved projects is to be made on a matching basis. Depending on the project duration, the arrangement for disbursement of fund is as follows:

**Guide to Application for the Dedicated Fund on Branding, Upgrading and Domestic Sales (Mainland Programme)**

Payment Option	Project Duration	Number of Installments	Initial payment (% of total approved Government funding)	Mid-term payment (% of total approved Government funding)	Final payment (% of total approved Government funding)
Initial payment required	18 months or below	2	25%	Not applicable	Balance of approved Government funding %*
	More than 18 months and up to 24 months	3	25%	25% at maximum, subject to project progress and actual total allowable project expenditure	Balance of approved Government funding %*
Initial payment not required	18 months or below	1	Not applicable	Not applicable	Balance of approved Government funding %*
	More than 18 months and up to 24 months	2	Not applicable	50% at maximum, subject to project progress and actual total allowable project expenditure	Balance of approved Government funding %*

\* Subject to the recognisable total project expenditure on project completion.

5.1.2 The initial payment for an approved project will only be made to the applicant after the signing of the funding agreement mentioned in paragraph 7.1 as well as the applicant's production and the Programme Secretariat's verification of the evidence showing due contribution of funds by the applicant on a matching basis (i.e. 25% of the total approved Government funding) to the project account mentioned in paragraph 5.3.1. As mentioned in paragraph 5.1.7, applicant may opt not to receive initial payment.

5.1.3 Mid-term payment will be made to the applicant on a reimbursement basis only if the duration of the project is over 18 months and when the following report and audited accounts are accepted by the PMC and Government:

- (a) the progress report of the project as mentioned in paragraph 6.1; and
- (b) the annual audited accounts on the income and expenditure of the

project covering the first 12 months of project implementation as mentioned in paragraph 5.5.1.

The actual amount of the mid-term payment will be determined by the PMC and Government having regard to the progress and actual total allowable expenditure of the project against the approved project schedule and budget, and in any event no more than 25% of the total approved funding borne by the Government. If applicant opts not to receive initial payment, the mid-term payment will be no more than 50% of the total approved funding borne by the Government.

5.1.4 Final payment will be made to the applicant on a reimbursement basis when the following report and accounts are accepted by the PMC and Government:

- (a) the final report of the project as mentioned in paragraph 6.1; and
- (b) the final audited accounts on the income and expenditure of the project from project commencement date to project completion date as mentioned in paragraph 5.5.1.

The actual amount of the final payment will be determined by the PMC and Government having regard to the recognisable total project expenditure on project completion.

- 5.1.5 If the applicant fails to comply with the terms and conditions stipulated in the funding agreement, the Government may withhold disbursement of any part of funding support to the applicant and/or request return of the disbursed funding in full or in part from the applicant. Under such circumstance, the Programme Secretariat will inform the applicant of the decision and its reason.
- 5.1.6 The applicant is not entitled to charge any interest or claim any compensation or relief of whatsoever nature against the Programme Secretariat or Government for any payment made on a reimbursement basis or in the event of any withholding of payment for any reason whatsoever.
- 5.1.7 If the applicant opts not to receive initial payment, it is not necessary to open and maintain a designated “project account” for the purpose of processing all receipts and payments of the project. The applicant is, however, still required to keep proper and separate books and records for expenses incurred under the project as required in Clause 5.4 below. Payment(s) will be made to the applicant on a reimbursement basis when the relevant reports and audited accounts are accepted by the PMC and the Government.



## **5.2 Budget of the Project**

### **5.2.1 Expenditure**

#### **(A) Scope of funding**

Each application has to be supported by a detailed budget with itemised breakdown of expenditures.

Only costs directly incurred for the proposed project should be included in the budget, such as the fee of the consulting service provided by the qualified service provider for drawing up a holistic business plan under a “Type (i) Project Application”; the salary of additional manpower and the cost of procuring or leasing of additional machinery/ equipment specifically and essentially for implementing the project under a “Type (ii) Project Application”, etc.

Details about the expenditure items that may be funded under the Programme are at **Annex 3**. Expenditure items that are subject to budget caps are highlighted below (for details, please refer to **Annex 3**) –

*In respect of “Type (i) Project Application”:*

- (i) where a qualified service provider is to be engaged by the applicant to draw up a holistic business plan, any sub-contracted consultancy fee should not exceed 50% of the fee payable to the qualified service provider;

*In respect of “Type (ii) Project Application”:*

- (ii) the costs for recruiting additional manpower directly incurred for implementing the project (including salary and related incidental costs) should not exceed 50% of the total budgeted expenditure for the project. Only the salary of employee(s) newly recruited for new post(s) established for the purpose of the project would be funded;
- (iii) the costs of procuring or leasing of additional machinery/ equipment (including computer software) specially and essentially for implementing the project as well as the related incidental costs should not exceed 50% of the total budgeted expenditure for the project;
- (iv) the direct costs for producing/procuring samples/prototypes

for development/demonstration purpose under the project should not exceed 20% of the total budgeted expenditure of the project;

- (v) advertising costs directly related to the project should not exceed 50% of the total budgeted expenditure for the project;
- (vi) travelling and accommodation expenses which are directly linked to the specific event/activity covered by the project should not exceed 20% of the total budgeted expenditure for the project;
- (vii) Maximum cumulative amount of funding support for patent/trademark/ design/ utility model registration directly related to the project(s) is at \$170,000 per enterprise under the Programme;
- (viii) the costs for development or improvement of mobile applications (apps), should not exceed 50% of the total budgeted expenditure for the project; and
- (ix) external audit fees for approved projects is capped at \$10,000 per audit.

Both the project expenditures budgeted for a proposed project at the application stage and the actual project expenditures of an approved project are subject to the budget caps set out above. For an approved project, those actual expenditures expended beyond the budget caps of the relevant expenditure items will not be counted as recognisable project expenditures and hence will not be taken into account in calculating the amount of final payments to be disbursed to the applicant.

**(B) Expenditure that will not be funded**

As a matter of principle, funding provided by the Government should not be used to subsidise the normal operating expenses of the applicant. Accordingly, daily, routine and general operating expenditures of the applicant will not be funded.

A list of expenditure items which will not be funded under the Programme (hereafter referred to as “unallowable costs”) is at **Annex 4**. Unless otherwise expressly approved by the Government, the funding provided by the Government should not be used to cover those unallowable costs.

The Government may review and revise the funding rules on budget caps and unallowable costs as set out in (A) & (B) above from time to

time as appropriate. The most updated funding rules would be available at the website of the Programme ([www.bud.hkpc.org](http://www.bud.hkpc.org)).

#### 5.2.2 Contribution from the Applicant

The applicant shall be responsible for at least 50% of the total approved project expenditure in cash, except for the audit fee of the approved project. Please refer to Clause 1.5.1.

### 5.3 Account and Interest

- 5.3.1 The successful applicant is required to open under its name and maintain a separate interest-bearing bank account (“project account”) with a licensed bank registered under the Banking Ordinance (Cap. 155) solely and exclusively for the purpose of processing all receipts and payments of the project. All project funds (the grant under the Programme disbursed by the Programme Secretariat and cash contribution by the applicant) should be deposited into the project account. All payments exclusively applied to the project for which they are paid shall be paid out from the project account. All project funds shall be kept in the project account by the applicant until such funds are spent (paid) in compliance with the funding agreement or returned to the Programme Secretariat by the applicant in accordance with the funding agreement.
- 5.3.2 The applicant shall ensure that all interest generated from the project account shall be reflected in the financial statements and audited accounts of the project, and has to be kept in the project account.
- 5.3.3 The applicant may be required to compensate the Government for loss of interest income if the project funds are not properly handled in accordance with paragraph 5.3.1 above.
- 5.3.4 If the applicant opts not to receive initial payment, it is not required to open and maintain a designated project account for the purpose of processing receipts and payments relating to the approved project. The applicant is, however, still required to keep proper and separate books and records for expenses incurred under the project as required in Clause 5.4 below.

### 5.4 Books and Records

- 5.4.1 The applicant shall keep a proper and separate set of books and records for the project. The books and records shall be maintained in such a manner so as to enable the production of statement of income and expenditure (items in the same format as shown in the “Project Expenditure” section of the Approved Project Proposal) and balance

sheet in respect of each project. All transactions relating to the project shall be properly and timely recorded in its books of accounts.

5.4.2 Accrual basis of accounting shall be adopted for the project. Expenditure can only be charged to the project account after the equipment and goods have been received or services delivered. Accordingly, prepayments or deposits will not be recognised as expenditures for charging to the project account unless and until the equipment and goods have been received or services delivered. Moreover, the expenditure so charged shall be incurred within the project duration only. All receipts and expenditure of the project, including the grant by the Government and contribution by the applicant shall be fully and properly recorded in the books and records in accordance with the funding agreement, and all requirements, instructions and correspondences issued by the Programme Secretariat or Government in respect of the project.

5.4.3 The applicant is required to maintain, during the continuance of the funding agreement and for a minimum of seven years after the completion of the project or the expiry or termination of the funding agreement, full and proper books of accounts and records of the project (including receipts, counterfoils, vouchers, quotations and tendering documents and other supporting documents). In this connection, the Programme Secretariat, Government and their authorised representatives shall be allowed access to all or any of the books and records for conducting audit, inspection, verification and copying from time to time upon reasonable notice of such books and records at any time when such books and records are kept. When so requested in this connection, the applicant will be obliged to make available all project books of accounts and records and explain to the Programme Secretariat, Government and their authorised representatives any matters relating to the receipt, expenditure or custody of any money derived from the project. The Government reserves the right to require the applicant to return any mis-spent amount together with the interest income accrued to the Government.

## **5.5 Financial Reports**

5.5.1 The successful applicant will be required to submit the following financial reports to the Programme Secretariat:

(A) For projects with implementation period not exceeding 18 months, final audited accounts from the project commencement date to the project completion date or the expiry or termination date of funding agreement (together with the final report as set out under paragraph 6.1) not later than two months after project completion or the expiry or termination of the funding agreement, whichever is earlier.

- (B) For projects with implementation period exceeding 18 months,
- (i) annual audited accounts (together with the progress report as set out under paragraph 6.1) covering the first 12 months starting from the project commencement date within one month after the relevant 12-month period; and
  - (ii) final audited accounts from the project commencement date to the project completion date or the expiry or termination date of funding agreement (together with the final report as set out under paragraph 6.1) not later than two months after project completion or the expiry or termination of the funding agreement, whichever is earlier.

The audited accounts shall contain all receipts and receivables including the funds granted by the Government under the Programme, contribution by the applicant and payments for the project. The audited accounts shall also comprise Statement of Income and Expenditure, a Balance Sheet, Notes to the Accounts and the Auditors' Report. The accounts of a project shall be properly prepared from and in agreement with the books and records of the project.

Late submission of the audited accounts may lead to suspension or termination of the funding support for the project.

Any record of mishandling of public funds or lack of discipline in financial management or any breach of the funding agreement by an enterprise will be taken into account by the PMC and Government in considering future applications from the same enterprise or the project team. Any such record may prejudice that enterprise's future applications under the Programme.

#### 5.5.2 Auditing requirements

To ensure that the project funds have been solely and properly applied to the projects and expended/received in accordance with the "Project Expenditure" section of the Approved Project Proposal, the required accounts shall be audited by an independent auditor who must be either Certified Public Accountants or Public Accountants registered under the Professional Accountants Ordinance (Cap. 50) (the Auditors).

The applicant shall specify in the engagement letter for the employment of the Auditors that they shall strictly follow the requirements stipulated in the latest version of the "Notes for Auditors of Funded Enterprises" issued by the Programme Secretariat (which can be downloaded from the website of the Programme ([www.bud.hkpc.org](http://www.bud.hkpc.org))) in conducting audits and preparing auditors' report for each project. The engagement letter shall also specify that the Programme Secretariat, Government and their authorised representatives shall have the right to

communicate with the Auditors on matters concerning the project accounts and the supporting statements. In conducting the audits, the Auditors should comply with the relevant Standards and Statements of Professional Ethics issued and updated from time to time by the Hong Kong Institute of Certified Public Accountants. In the audited accounts, the Auditors are required to express an audit opinion as to whether the applicant and the accountants of the project have complied, in all material respects, with all the requirements set out in the Notes and to make full disclosure of any material non-compliance.

## **5.6 Procurement Procedures**

The applicant enterprise shall make reference to the guidelines of the Independent Commission Against Corruption (ICAC)<sup>6</sup> and Competition Commission (CC)<sup>7</sup> in preparing the quotation/tender invitation document. In particular, the applicant enterprise should (i) ensure that: a probity clause, an anti-collusion and anti bid-rigging clauses are included in the quotation/tender invitation document; and (ii) where appropriate request bidder/tenderer to sign a confirmation on compliance when submitting quotation/tender. Templates for (i) and (ii) are at Annex 6.

The applicant shall exercise the utmost prudence in procuring equipment, goods or services for the project and must adhere to the following procedures unless the Government agrees otherwise:

- (A) For every procurement or lease of equipment, goods or services in relation to or for the purposes of the project, the aggregate value of which does not exceed HK\$2,000, the applicant is not required to provide written quotation, but the selection of the suppliers/service providers/consultants/contractors must be endorsed by the Project Coordinators in writing.
- (B) For every procurement or lease of equipment, goods or services in relation to or for the purposes of the project, the aggregate value of which exceeds HK\$2,000 but does not exceed HK\$50,000, the applicant shall invite at least two suppliers/service providers/consultants/contractors or lessors for written quotations and accept the lowest bid. Full justifications must be given if less than two suppliers/service providers/consultants/contractors or lessors could be identified from the market. If the lowest bid is not selected, prior written consent must be obtained from the Programme Secretariat and full justifications must be given.
- (C) For every procurement or lease of equipment, goods or services in relation to or for the purposes of the project, the aggregate value of which exceeds HK\$50,000 but does not exceed HK\$300,000, the applicant shall invite at least three suppliers/service providers/consultants/contractors or lessors for written quotations and accept the lowest bid. Full justifications must be given if less

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<sup>6</sup> The ICAC has published a booklet "Strengthening Integrity and Accountability – Government Funding Schemes Grantee's Guidebook" providing applicant enterprises with a practical set of guidelines in utilising the funds, including sample of probity clause and anti-collusion clause. Softcopy of the Guidebook is available on ICAC's website ([http://www.icac.org.hk/filemanager/en/Content\\_1031/GranteeBPC.pdf](http://www.icac.org.hk/filemanager/en/Content_1031/GranteeBPC.pdf)). Applicant enterprises are advised to make reference to the best practices in the Guidebook in utilizing government funds and contact the Corruption Prevention Advisory Service of ICAC (Tel: 2526 6363) for any questions concerning the Guidebook or if they need any corruption prevention advice.

<sup>7</sup> The CC has published the "Getting the most from your tender" brochure providing enterprises with a practical set of guidelines in ensuring an open and effective tendering process by preventing and detecting possible bid-rigging cartels. Softcopy of the brochure is available on CC's website ([https://www.compcomm.hk/en/media/reports\\_publications/files/Competition%20Com\\_E\\_PamphletPart%202.pdf](https://www.compcomm.hk/en/media/reports_publications/files/Competition%20Com_E_PamphletPart%202.pdf)). Applicant enterprises are advised to contact the CC (Tel: 3462 2118) for any questions concerning the brochure.

than three suppliers/service providers/consultants/contractors or lessors could be identified from the market. If the lowest bid is not selected, prior written consent must be obtained from the Programme Secretariat and full justifications must be given.

- (D) For every procurement or lease of equipment, goods or services in relation to or for the purposes of the project, the aggregate value of which exceeds HK\$300,000 but does not exceed HK\$1.4 million, the applicant shall invite at least five suppliers/service providers/consultants/contractors or lessors for written quotations and accept the lowest bid. Full justifications must be given if less than five suppliers/service providers/consultants/contractors or lessors could be identified from the market. If the lowest bid is not selected, prior written consent must be obtained from the Programme Secretariat and full justifications must be given.
- (E) For every procurement or lease of equipment, goods or services in relation to or for the purposes of the project, the aggregate value of which exceeds HK\$1.4 million, the applicant shall use open and competitive tender procedures. Channels which are easily accessible by the general public shall be used to publicise the tender notices. If the lowest bid is not selected, prior written consent must be obtained from the Programme Secretariat and full justifications must be given.

Unless prior written approval from the Government is obtained, the applicant or any person authorised by the applicant to call for or in any way involved in the quotation or tender exercise shall not participate in the bid itself.

### **5.7 Avoidance of Conflict of Interest in Engaging Service Providers, Consultants and Contractors**

In engaging service provider(s)/consultant(s)/contractor(s) for implementing the projects approved under the Programme (including, inter alia, the engagement of qualified service providers to draw up holistic business plans under “Type (i) Project Applications”), the applicant should not engage a service provider/consultant/contractor the owners, shareholders, management of which are the owners, shareholders, management of the applicant enterprise or their relatives.

### **5.8 Risk and Title to Equipment**

The full legal and equitable title and interest in any piece of the equipment funded under the Programme shall vest with the applicant. The risk in the equipment (e.g. loss, damages, liabilities, etc.) shall be also borne by and remain with the applicant.

### **5.9 Hiring of Project Staff**

In recruiting staff for the project, the applicant shall abide by the principles of openness, fairness and competitiveness, and shall follow the General Guidelines



on Staff Recruitment at **Annex 5**.

### **5.10 Return of Residual Funds**

Upon the expiry or termination of the funding agreement or the completion of the project, whichever is earlier, the applicant shall return to the Programme Secretariat any residual funds<sup>8</sup> within one month after approval of the final audited accounts of the project by the PMC, and provide any accounting thereof.

The Programme Secretariat or Government may initiate legal action for suitable remedies in case of delay in the return of residual funds to the Programme Secretariat.

## **6. REPORTING REQUIREMENT**

### **6.1 Progress/Final Reports**

6.1.1 To facilitate the monitoring and evaluation of approved projects, the applicant will be required to submit reports to the Programme Secretariat for review. Depending on the project duration, the arrangement for the submission of reports as well as the audited accounts mentioned in paragraph 5.5.1 is as follows:

Project Duration	Submission of Progress Report and Annual Audited Accounts	Submission of Final Report and Final Audited Accounts
18 months or below	Not required	Within two months upon project completion
More than 18 months and up to 24 months	One 12 <sup>th</sup> month progress report and Audited accounts for the first 12 months, to be submitted within one month after the relevant 12-month period	Within two months upon project completion

6.1.2 Only projects with duration over 18 months require the submission of progress reports (and annual audited accounts as referred to in paragraph 5.5.1) until project completion or the expiry or termination

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<sup>8</sup> As defined in the funding agreement, “residual funds” means the unspent balance of the Government’s grant paid to the project account and interest after the project duration, being the amount of Government’s grant paid to the project account plus the amount of interest accrued and 50% of all other receipts relating to the project, net of 50% of the actual project expenditure in the amount as audited in the final audited accounts of the project, or net of 50% of the projected expenditure as set out in the budget of the approved project proposal, whichever amount is the less.

of the relevant funding agreements to the Programme Secretariat. Each progress report should cover the first twelve months and should be submitted within one month after the relevant 12-month period. It should include a summary of the project progress against the project implementation plan set out in the Approved Project Proposal appended to the funding agreement as well as a statement of income and expenditure for the reporting period. It should also include any work and deliverables that have been completed and achieved during the reporting period. The progress reports submitted should be signed by the project coordinator and endorsed by the senior management of the applicant.

- 6.1.3 Applicants of all approved projects are required to submit final reports (and final audited accounts as referred to in paragraph 5.5.1) covering the period from project commencement date to the project completion date or the expiry or termination date of the funding agreement to the Programme Secretariat within two months after project completion or expiry or termination of the funding agreement. Each final report should include a summary of the work and deliverables completed and achieved under the project as well as a statement of income and expenditures against the objectives, deliverables and budget of the project as set out in the Approved Project Proposal appended to the project agreement. It should also contain an evaluation of the project results, including an account of any unresolved issues, and set out the number of additional staff employed in Hong Kong and other places for implementing the project, the number of additional staff to be employed in Hong Kong as a result of better business development in the Mainland arising from the project, and the products/services of other Hong Kong enterprises that have been used or engaged in implementing the project. The final report submitted should be signed by the project coordinator and endorsed by the senior management of the applicant.
- 6.1.4 The Programme Secretariat will review the project progress and evaluate the project results by comparing the project progress/deliverables reported in the progress/final reports against its implementation plan and deliverables as set out in the Approved Project Proposal appended to the funding agreement. The applicant should immediately provide clarification and additional information on the contents of the progress/final reports upon request of the Programme Secretariat and/or the Government. The Programme Secretariat may conduct on-site checking to verify the project progress and results for individual projects. The Programme Secretariat and Government have the right to request access to any information related to the project.
- 6.1.5 All progress and final reports will be submitted to IDC and PMC for consideration and to the Government for endorsement. Late submission of the progress/final reports may lead to suspension or termination of the funding support for the project.

## **6.2 Report Resubmissions**

- 6.2.1 In case a progress/final report is rejected by PMC and/or the Government, the applicant should resubmit the progress/or final report within one month after the relevant notification by the Programme Secretariat.
- 6.2.2 If a progress/final report is rejected twice, the applicant may not resubmit the report(s) and funding may be curtailed. The applicant may also be required to return to the Government funding already disbursed by the Programme Secretariat in respect of the project.

## **7. ADMINISTRATIVE HIGHLIGHTS**

### **7.1 Contractual Requirements**

- 7.1.1 The successful applicant is required to sign a funding agreement with the Programme Secretariat and to comply with all the terms and conditions of the agreement, this Guide and the instructions and correspondences issued by the Programme Secretariat or the Government from time to time in respect of the project or the Programme. If applicant opts to receive initial payment, the Programme Secretariat would only sign funding agreement with the successful applicant after the successful applicant has opened the project account and deposited the required matching fund as required in paragraph 5.3.1 above. The PMC reserves the right to consider lapsing the approval decision in case where the applicant fails to sign the contract with the Programme Secretariat for a prolonged period of time without justifications deemed acceptable by the Programme Secretariat. All projects should commence after the funding agreement is signed.
- 7.1.2 If applicant opts not to receive initial payment, the project duration can start from a date before the project is approved by the PMC and before the funding agreement is signed but after the date of submission of application<sup>9</sup>, subject to PMC's approval of the application. All relevant expenditure incurred as early as after the date of submission of application to the Programme Secretariat can be recognised and funded, provided that the measure was within the project duration and included in the project proposal approved by the PMC. The costs incurred outside the project duration would not be funded.

### **7.2 Appointment of Project Coordinators**

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<sup>9</sup> The submission date of application is according to the Secretariat's confirmation of receipt date of application form and required documents.

The successful applicant will be required to appoint a project coordinator and a deputy project coordinator who will be responsible for overseeing the implementation of the project, monitoring the proper use of funds in accordance with the “Project Expenditure” section of the Approved Project Proposal, terms and conditions of funding and funding agreement, exercising economy and prudence in the use of funds, liaising with the Programme Secretariat, arranging of the on-site checking conducted by the PS and attending meetings on the project as necessary.

### **7.3 Prior Approval Requirements**

An approved project has to be carried out strictly in accordance with the funding agreement. Any modification, amendment or addition to the project or the funding agreement, including but not limited to change of project duration, project scope, budget, implementation plan, deliverables or replacement of the project coordinator or deputy project coordinator, shall require prior written approval by the Programme Secretariat or Government. Reasons with supporting documents for the changes must be provided.

### **7.4 Suspension or Termination of Funding Support**

The Government reserves the right to suspend or terminate, after consultation with the IDC and PMC, funding support for an approved project. Circumstances which warrant suspension or termination of funding support may include but are not limited to a lack of satisfactory progress or a slim chance of completion of a project, failure to submit progress/final reports or audited accounts within the stipulated deadlines, failure to pay the matching fund to the project account or produce documentary evidence to the satisfaction of the Programme Secretariat showing such payment, non-acceptance of those reports/accounts by the PMC and Government, a breach of the terms and conditions of the funding agreement, or if the PMC and Government sees fit to terminate the project in public interest. The applicant may have to return all/part of the Government funding disbursed in respect of these projects together with all administrative, legal and other costs and interest (regardless of whether the applicant has already spent the funds or not).

Once a project is suspended or terminated, the applicant will not be entitled to the receipt of Government funding under the Programme and any cost incurred in the project after suspension and termination of Government funding will be solely borne by the applicant himself.

### **7.5 Intellectual Property Rights**

Applicants will hold all the intellectual property rights arising from the results of the projects approved under the Programme.

## **7.6 Participation in Publicity and Promotional Activities**

Successful applicants will be required to share the experience gained in implementing the projects approved under the Programme with other enterprises. They will need to participate in the publicity and promotional activities of the Programme when being invited by the Programme Secretariat or Government to share their experience gained in the projects. These activities may include seminars, workshops, conferences, exhibitions, etc., as well as site visits to the successful applicants as arranged by the Programme Secretariat or Government. The successful applicants will also need to contribute inputs/materials for publication via printed/electronic channels to share their experience when being requested by the Programme Secretariat or Government. The successful applicants cannot charge fees on the Programme Secretariat or Government for participating in these activities or contributing such inputs/materials for publication. The Programme Secretariat may also publicise the details of approved project for public information.

## **7.7 Acknowledgement of Funding Support and Disclaimer**

Successful applicants are allowed to publicise their implementation of the projects funded under the Programme and the project results on their own initiatives through publications, seminars, workshops, conferences, exhibitions, site visits, etc. with prior notice to the Programme Secretariat. Acknowledgement of funding support under the Programme or the logo of the BUD Fund (in the format as specified by the Programme Secretariat) must appear on all equipment, facilities, publicity/media events or in publications related to a project funded under the Programme.

The following disclaimer should also be included in any publications and publicity/media events related to a project funded under the Programme:

*“Any opinions, findings, conclusions or recommendations expressed in this material/event (or by members of the Project team) do not reflect the views of the Government of the Hong Kong Special Administrative Region or the Programme Management Committee of the Dedicated Fund on Branding, Upgrading and Domestic Sales.”*

## **7.8 Assignment**

Unless prior written approval from the Government is obtained, the applicant shall not assign, transfer, sub-contract or otherwise dispose of any or all of its interests, rights, benefits or obligations under the funding agreement. Residual funds<sup>6</sup> shall be returned to the Government upon assignment, transfer, disposal or termination of the project.

## **7.9 Handling of Information**

The Programme Secretariat and Government are committed to ensuring that all personal data submitted under various applications are handled in accordance

with the relevant provisions of the Personal Data (Privacy) Ordinance (Cap. 486) (“PDPO”). In this regard, the personal data provided in relation to applications made under the Programme will be used by the Programme Secretariat, Government or their authorised agents for activities relating to:

- (A) the processing and authentication of applications for funding support, payment of Government funding under the Programme and any refund thereof; and
- (B) statistics and research.

The personal data that the applicants provided in their applications will be kept in confidence provided that such obligations and restrictions shall not apply to any disclosure which is necessary for the purposes mentioned in the paragraph above, or any disclosure which is authorised or required by law, or any disclosure which is given by the applicant/data subject.

If necessary, the Programme Secretariat will contact other Government departments and relevant parties to verify the personal data provided in the applications with those held by them for the purposes mentioned in the paragraph above.

Applicants/data subjects whose personal data are collected by the Programme Secretariat may request access to them under the PDPO. A charge will be made to cover the cost of photocopying the data supplied. In addition, if the data subject considers that the data supplied to the Programme Secretariat is inaccurate, a request for correction of the personal data may be made in writing after a data access request has been made. Requests for access to personal data submitted under various applications under the Programme can be made in writing on the Data Access Request Form (No. OPS003 issued by the Privacy Commissioner), which is available at the Programme Secretariat.

### **7.10 Indemnity**

The applicant shall indemnify and keep each of the Programme Secretariat, Government, their employees and authorised persons fully and effectively indemnified against (i) all actions, claims (whether or not successful, compromised, settled, withdrawn or discontinued) and demands threatened, brought or established against the Programme Secretariat and/or Government and (ii) all costs (including all legal fees and other awards, costs, payments, charges and expenses), losses, damages and liabilities suffered or incurred by the Government, which in any case arise directly or indirectly in connection with, out of in relation to a breach of the duty of confidence under general law, the use of any personal data in contravention of the PDPO, any breach of the funding agreement by the applicant, the willful, misconduct, default, unauthorised act or willful, omission of the applicant, or any allegation or claim that the use, operation or possession of the project results or the exercise of any rights granted under the funding agreement infringes any intellectual property rights of any persons.

### **7.11 Prevention of Bribery**

The applicant shall observe the Prevention of Bribery Ordinance (Cap. 201) (“PBO”) and shall procure that its project team, directors, employees, agents, consultants, contractors and other personnel who are in any way involved in the project shall not offer to or solicit or accept from any person any money, gifts or advantages (as defined in the PBO) in relation to the project.

The offer of an advantage to the Programme Secretariat or any member of the IDC or PMC with a view to influencing the approval of an application is an offence under the PBO. Any such offer by the project team, directors, employees, agents, consultants, contractors and other personnel who are in any way involved in the project will render the application null and void. The Government may also cancel the application approved and hold the applicant liable for any loss or damage which the Government may sustain.

## **8. ENQUIRIES**

Enquiries regarding the Programme can be addressed to:

Address: The Secretariat  
The BUD Fund  
HKPC Building, 78 Tat Chee Avenue,  
Kowloon, Hong Kong  
Telephone: (852) 2788 6088  
Fax: (852) 2788 6196  
E-mail: bud\_sec@hkpc.org  
Website: www.bud.hkpc.org

**July2018**

**Detailed Scope of  
Branding, Upgrading and Restructuring and Domestic sales**

**Branding**

The scope of branding covers the development or enhancement of the brand owned by the applicant enterprise in respect of the product(s)/service(s) delivered in the Mainland at present or in future.

The applicant may formulate the brand strategy and implement the development/enhancement initiatives first in Hong Kong prior to entering into the Mainland market under its proposed project. However, the applicant must show in the application how those initiatives will lead to the development and promotion of the brand of its product(s)/service(s) in the Mainland market. Besides, the proposed project should include significant elements targeting at the business development of the applicant in the Mainland.

Some examples of initiatives falling within the scope of branding are set out below:

<b>Area</b>	<b>Category</b>	<b>Projects</b>	<b>Deliverables</b>
Brand Strategy and Positioning	Corporate Visioning	Identify the brand's most unique and compelling attributes by considering the critical purchasing factors of the target customer groups.  Formulate brand vision, develop the brand strategy for enhancing the customers' perception of the brand as unique and memorable.	Customer/market survey  Brand specification  Brand vision & strategy  Brand logo  Brand book  Survey on customers' perception of the brand
	Product and Service Planning	Identify the features and characteristics of desirable products/services for the target market segment.  Formulate and implement the plan for improving the	Product/service specification  Product/service improvement plan  Improved



**Guide to Application for the Dedicated Fund on Branding, Upgrading and Domestic Sales (Mainland Programme)**

Area	Category	Projects	Deliverables
		relevant products/ services or developing new products/services.	products/ services
Brand Building, Design and Communication	Brand Identity and Personality	<p>Define/redefine the brand personality to guide its expression.</p> <p>Implement the actions for enhancing the brand with rich visual &amp; verbal imagery.</p> <p>Protect brand identity through intellectual property (e.g. trademark, copyright, domain) protection.</p> <p>Design and produce attractive marketing materials.</p> <p>Promote the brand through multi-media and evaluate the effectiveness of the promotion performed.</p>	<p>Brand designed/ re-designed</p> <p>Brand identity</p> <p>Marketing materials</p> <p>Multi-media promotion activities</p> <p>Intellectual property search, preliminary advice and registration</p> <p>Promotion effectiveness evaluation report</p>
Brand Management	Behavioral Shaping and Customer Service	<p>Determine the behavioral model and attributes for enhancing customer experience.</p> <p>Identify the competences and skill-set of employees for servicing the target customer groups.</p> <p>Cultivate the brand culture and foster the staff and sales teams to “live the brand” .</p> <p>Establish a brand-oriented enterprise through recruitment of new staff, improvement of human capital system and performance management system, redesign of business process, organisation restructuring.</p>	<p>Behavioral model and skill-sets for customer service</p> <p>Internal and external brand building strategy and execution plan</p> <p>Brand induction and staff development programme and the programme evaluation report</p> <p>Brand-oriented human capital system and organisation</p> <p>Redesign of business process</p>

**Guide to Application for the Dedicated Fund on Branding, Upgrading and Domestic Sales (Mainland Programme)**

<b>Area</b>	<b>Category</b>	<b>Projects</b>	<b>Deliverables</b>
		Develop and deliver ongoing support and after-sale services to ensure widespread brand adoption.	After-sale service/support delivered

**Upgrading and Restructuring**

The scope of upgrading & restructuring covers the improvement initiatives for business transformation from performing low value-added operations to producing /providing high-value added products or services.

For a project application which solely focuses on the area of restructuring and upgrading (i.e. not covering any area of branding or domestic sales), the proposed project has to be carried out for improving operations/processes in the Mainland entity of the applicant. Under the circumstances, the applicant must provide documentary evidence proving its direct investment relationship with the Mainland entity covered by the project in accordance with paragraph 2.1.3.

Upgrading and restructuring is not confined to that carried out in the Mainland entity of the applicant if the project application focuses not only on the area of restructuring and upgrading but also those of branding and/or domestic sales. However, if the restructuring and upgrading measures are carried out solely for improving operations/processes in Hong Kong, the applicant must show in the application how those measures will lead to its business development/enhancement in the Mainland. Besides, the proposed project should include elements targeting at the business development of the applicant in the Mainland.

Some examples of upgrading & restructuring initiatives are set out below:

<b>Area</b>	<b>Category</b>	<b>Projects</b>	<b>Deliverables</b>
Product Innovation and Repositioning	New Product Development	Develop novel and/or innovative products.  Upgrade product development and design process, e.g. adoption of advanced technology or management system that encourages innovation and new ideas.  Apply Green Design concept and technology.	New product developed  New product specification  Product evaluation report  Product development and design procedures  Advanced

**Guide to Application for the Dedicated Fund on Branding, Upgrading and Domestic Sales (Mainland Programme)**

Area	Category	Projects	Deliverables
			equipment/ computer system/ management system for product development & design
Technology and Management Upgrading	Manufacturing Technology Upgrading	Apply advanced technology for mold making, production and testing for productivity improvement.	Advanced machinery/ facilities for mold making, production and testing  Technology evaluation report
	Process & Business Automation	Develop hard and/or soft automation system for improving the process efficiency and quality.	Hard and/or soft automation system installed  System evaluation report
	Management System Upgrading	Adopt world-class management system and/or methodology (e.g. Performance Excellence Model, Shingo Prize Management Model, Lean Six Sigma, Innovation Management Model, Stage-gate Model, M.A.K.E. Knowledge Management Model, Intellectual Property Management Model, Intellectual Capital Management Model) for performance excellence.	Management system (policy, processes, practices) adopted  Performance measurement results

**Domestic sales**

The scope of domestic sales covers the development and/or enhancement of effective sales activities and channels in the Mainland market.

Some examples of initiatives of promoting domestic sales in the Mainland are set out below:

**Guide to Application for the Dedicated Fund on Branding, Upgrading and Domestic Sales (Mainland Programme)**

<b>Area</b>	<b>Category</b>	<b>Projects</b>	<b>Deliverables</b>
Domestic Sales Start-up Planning	Visioning Process and Strategy Formulation	Identify the target market segments for domestic sales  Formulate strategic plan for starting-up the domestic sales business.	Market survey Strategic plan for domestic sales
	Licenses/ System/ Product Compliance	Conduct compliance review on current licenses, system & product.  Implement compliance solution to ensure the organisation and its products fulfill the regulatory requirements of the local Government.	Compliance review report  Product specification in compliance with the regulatory requirements  Operating procedure in compliance with the regulatory requirements
Domestic Sales Business Operation Management	Operating System Transformation	Restructure the organisation and re-design the business process for the new domestic sales function set-up.  Develop software platform to monitor the performance of the Mainland operations.	Re-engineered organization structure and business process for domestic sales operation  Software platform for performance monitoring
Domestic Sales Team Formation and Management	Workforce Management	Develop relevant human resource management system for Mainland business team (including performance management system).  Formulate the competence model for domestic sales teams and conduct the staff development programme for enhancing the relevant skill-set.	Human resource management system developed  Competence model and staff development programme  Staff development programme evaluation report

**The Requirement of Substantive Business Operations in Hong Kong**

When considering whether the applicant enterprise has substantive business operations in Hong Kong, the Programme Secretariat makes reference to various factors, such as:

- Nature of the business operations in Hong Kong
- size/extent/percentage of the business operation in Hong Kong
- investment amount in Hong Kong
- number of employees in Hong Kong
- information of customers/clients
- year of establishment
- whether profits are tax assessable in Hong Kong
- information/assessment issued by relevant financial and professional organisations

To facilitate the assessment on whether the enterprise has substantive business operations in Hong Kong, the applicant has to submit documentary proof for consideration, examples of documents are as follows:

<b>Applicant's Information</b>	<b>Examples of Documents</b>
Business Operations	Commercial contracts, invoices, receipts, quotation documents, freight forwarding documents, bank records, records of purchase/sales of goods, office tenancy, water/electricity bills
Financial Information	Audited accounts, financial report, monthly bank statements, Profit Tax Returns and taxation assessment issued by the Inland Revenue Department
Information of Employees	Mandatory Provident Fund records or approved retirement plan records, employees' employment contract, salary payment record, staff identity documents

**Expenditure Items that may be funded under the Programme**

*(Note: The information contained in this annex would be subject to review and revision from time to time. The most updated information would be available at the website of the Programme ([www.bud.hkpc.org](http://www.bud.hkpc.org).)*

Each application has to be supported by a detailed budget with itemised breakdown of expenditure directly incurred for the purpose of the project at least on a half-yearly basis. The following expenditure items directly incurred for the project may be funded.

<b>Expenditure Item</b>	<b>Details</b>
<p>Cost for Recruiting Additional Manpower</p>	<p>The salary of the additional manpower directly recruited by the applicant for implementing the project and the related incidental costs to be incurred within the project period<sup>10</sup>, may be funded but should not exceed 50% of the total budgeted expenditure for the project.</p> <p>Only the salary of employee(s) <u>newly</u> recruited for <u>new post(s)</u> established for the purpose of the project and the related incidental costs would be funded.</p> <p>Additional manpower not directly recruited by the applicant but secured through an intermediary agent by way of a contractual service should not be budgeted under “Cost for Recruiting Additional Manpower”. It should be budgeted under “Fee to Engage Other Consultant/Implementation Agent” instead. The nature of the consultancy services would however be considered when determining whether part or all of the consultancy fee should be regarded as “additional manpower cost” and be subject to the same budget ceiling.</p> <p>Recruitment of additional manpower under the project has to abide by the principles of openness, fairness and competitiveness, and follow the General Guidelines on Staff Recruitment at <b><u>Annex 5</u></b>.</p>
<p>Cost for Procuring/Leasing Additional Machinery/Equipment</p>	<p>The cost of procuring or leasing of additional machinery/equipment (including molds for developing/manufacturing new/enhanced products, dedicated and special computer hardware and software for design and operation enhancement) specifically and essentially for implementing the project as well as the related incidental costs to be incurred within the project period<sup>11</sup> may be</p>

<sup>10</sup> For example, cost for recruitment advertising, employers’ contribution to the Mandatory Provident Fund, and other mandatory costs incidental to the recruitment of additional manpower in Hong Kong or the Mainland, etc.

<sup>11</sup> For example, maintenance fee of the additional machinery/equipment, cost arising from system

**Guide to Application for the Dedicated Fund on Branding, Upgrading and Domestic Sales (Mainland Programme)**

Expenditure Item	Details
	<p>funded but should not exceed 50% of the total budgeted expenditure for the project.</p> <p>Procurement/leasing of additional machinery/equipment and other related goods/services has to follow the procurement procedures set out in paragraph 5.6.</p>
<p>Other Direct Costs</p> <p>(i) Direct Cost for Producing/Procuring Sample/Prototype</p> <p>(ii) Cost for Advertising</p>	<p>The direct cost for producing/procuring sample/prototype for development/demonstration purpose under the project may be funded but should not exceed 20% of the total budgeted expenditure for the project.</p> <p>In terms of the production costs of sample/prototype, only the costs of materials and consumables for the production of the sample/prototype (i.e. not including the manpower/machinery/equipment costs involved in the production) would be subject to the budget cap.</p> <p>Materials for the production of sample/prototype, where relevant and justified, will normally be funded except for those which are valuable and may be re-used for sales purpose, e.g. diamond and gold for the production of jewelry samples/prototypes.</p> <p>Advertising costs directly related to the project, including:</p> <ul style="list-style-type: none"> <li>- expenses incurred by placing advertisements in any commercial advertising media (e.g. newspapers, magazines, television, radio, internet, billboard/poster/wall advertising, etc.) as well as the related incidental costs to be incurred within the project period<sup>12</sup>;</li> <li>- sponsorship;</li> <li>- engagement of spokesperson/ambassador and the related costs<sup>13</sup>; and</li> <li>- other expenses which are advertising in nature, may be funded but should not exceed 50% of the total budgeted expenditure for the project.</li> </ul>

debugging/upgrading/rectification/customisation, service fee covering installation/commissioning of the additional machinery/equipment, machinery set up/modification/checking and acceptance, mandatory tax payable for the procurement of the additional machinery/procurement, etc. However, consultancy and training fees relating to the procurement of the additional machinery/equipment (including system/software development) would not be regarded as incidental costs relating to the procurement of the additional machinery/equipment.

<sup>12</sup> For example, service fees for the planning/design/photographing/filming of the advertisements, production costs of the advertisements, etc.

<sup>13</sup> For example, service fees for the image design/photographing/filming of the spokesperson/ambassador, design/construction of the scene for photographing/filming the spokesman, etc.

**Guide to Application for the Dedicated Fund on Branding, Upgrading and Domestic Sales (Mainland Programme)**

<b>Expenditure Item</b>	<b>Details</b>
(iii) Cost for Travelling and Accommodation between Hong Kong and the Mainland	<p>Travelling and accommodation expenses which are directly linked to the measure covered by the project may be funded but should not exceed 20% of the total budgeted expenditure for the project.</p> <p>Travelling expenses should cover only cross-city travelling expenses and in-town transportation which forms part of the cross border transportation of trips from Hong Kong to Mainland and vice versa.</p>
(iv) Cost for Patent/Trademark Registration in Hong Kong or the Mainland	<p>Maximum cumulative amount of funding support per enterprise under the Programme for patent/ trademark/ design/ utility model registration directly related to the project(s) is \$170,000.</p>
(v) Cost for Developing or Improving Mobile Applications	<p>Development or improvement of mobile applications (apps) for deployment on mobile devices, should not exceed 50% of the total budgeted expenditure for the project.</p>
(vi) External Audit Fee	<p>The funding support of the external audit fee for approved project is capped at \$10,000 per audit<sup>14</sup>.</p>
(vii) Others	<p>Other costs directly incurred for the project may be funded, including:</p> <ul style="list-style-type: none"> <li>- cost for participating in exhibitions/trade fairs/roadshows in Mainland or Hong Kong, and the related incidental costs<sup>15</sup>;</li> <li>- cost for organising/participating in other promotional events/activities (e.g. product launching ceremony) in Mainland or Hong Kong;</li> <li>- cost for producing promotional materials (e.g. flyers, pamphlets, posters, etc.) or other relevant expenses;</li> <li>- cost for the procurement/licensing of brands/technology; and</li> <li>- cost for the procurement of consumables (which should be specified in the application).</li> </ul> <p>Procurement of goods and services budgeted under “Other Direct Costs” has to follow the procurement procedures set out in paragraph 5.6.</p>

<sup>14</sup> For projects with implementation period not exceeding 18 months, only one final audited accounts are required to be submitted. For projects with implementation period exceeding 18 months, one annual audited accounts to cover the first 12 months’ of the project period and one final audited accounts to cover the whole project period (i.e. two audited accounts in total) are required to be submitted.

<sup>15</sup> For example, transportation costs of exhibits for participating (not for sale) in the exhibitions/trade fairs/roadshows, insurance premium of products for display at the exhibitions/trade fairs/roadshows, etc.



**Annex 4**

**Expenditure Items that will not be funded under the Programme**

A list of expenditure items which will not be funded under the Programme (i.e. unallowable costs) is set out below. The list is by no means exhaustive. It is subject to review and revision from time to time. Its latest update would be available at the website of the Programme ([www.bud.hkpc.org](http://www.bud.hkpc.org)).

<b>Expenditure Item</b>	<b>Details/Examples</b>
Normal Operating Expenses of the Applicant	Daily, routine and general operation expenses of the applicant, including salary of existing employees, direct costs incurred for the production/manufacturing of products for sales purpose <sup>16</sup> , rental/renovation expenses, utility expenses, business registration or operating licence fees, office stationery, transportation costs of products <sup>17</sup> , payment of tax, premiums for product liability insurance, bank charges, capital financing costs of mortgages, interest loans or overdrafts, credit assurance fee for transactions, legal fees associated with legal actions such as those against trademark infringement, etc.
Cost for Recruiting Additional Manpower	Recruitment of additional manpower to directly provide the services covered under the project for an application involving the marketing/sales of the services. For example, recruitment of lawyers for law firms, accountants for accounting firms, software designers for software design companies.
Cost for Procuring/Leasing Additional Machinery/Equipment	<ul style="list-style-type: none"> <li>- Machinery/equipment for general use or of normal operating nature (e.g. computer hardware/software for general operational use, cameras, projectors, microphones, point-of-sales systems, cash registers, etc.);</li> <li>- Machinery/equipment solely for the purpose of increasing the production capacity of the applicant (e.g. procurement of extra units of the existing machinery/equipment, increasing server nos. for IT companies);</li> <li>- Insurance premium of machinery/equipment;</li> <li>- Maintenance fees for existing machinery/equipment; and</li> <li>- Molds for existing products.</li> </ul>

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<sup>16</sup> Except for the procurement/leasing of additional machinery/equipment for upgrading and restructuring purpose.

<sup>17</sup> Except for the transportation costs of exhibits for participating in the exhibitions/trade fairs/roadshows.

**Guide to Application for the Dedicated Fund on Branding, Upgrading and Domestic Sales (Mainland Programme)**

<b>Expenditure Item</b>	<b>Details/Examples</b>
Other Direct Costs	
(i) Direct Cost for Producing/ Procuring Sample/Prototype	Valuable materials for the production of sample/prototype which may be re-used for sales purpose, e.g. diamond and gold for the production of jewelry samples/prototypes.
(ii) Cost for Advertising	<ul style="list-style-type: none"> <li>- Advertising outside the Mainland and Hong Kong.</li> <li>- In the case of internet advertising, expenses such as deposit, bonus, slotting fee will not be funded.</li> </ul>
(iii) Cost for Travelling and Accommodation between Hong Kong and the Mainland	<ul style="list-style-type: none"> <li>- Travelling and accommodation expenses which are not directly linked to any measure covered by the project, or those arising from general business supervision, liaison, consultation, negotiation, etc.; and</li> <li>- In-town transportation which does not form part of the cross-border transportation of trips from Hong Kong to Mainland and vice versa.</li> <li>- Travelling and accommodation outside the Mainland and Hong Kong</li> </ul>
(iv) Others	<ul style="list-style-type: none"> <li>- Participation in exhibitions/trade fairs/roadshows outside the Mainland and Hong Kong;</li> <li>- Organisation of/participation in other promotional events/activities outside the Mainland and Hong Kong;</li> <li>- Shop/product display fees for sales purpose at any virtual/physical location and the related sales commission fees;</li> <li>- Shelves and furniture for general product display at display/sales outlet;</li> <li>- Gifts, souvenirs, prizes, etc.;</li> <li>- Entertainment or meal expenses;</li> <li>- Membership fees of industrial and trade associations, professional bodies or similar organisations (either one-off or recurrent); and</li> <li>- Unspecified costs, e.g. miscellaneous costs, sundry, contingency expenses, etc.</li> </ul>

## **General Guidelines on Staff Recruitment**

These guidelines should be read and adhered to by the applicant, project coordinators and any other parties handling projects funded by the BUD Fund Mainland Programme.

### **Introduction**

These guidelines deal with the adoption of a system of staff recruitment where staff is employed to carry out the approved projects under the BUD Fund Mainland Programme. They serve as a ready reference for the applicant who is allocated with any grant from the the BUD Fund. The main issues are openness, fairness and competitiveness in staff recruitment.

### **Staff Recruitment**

The applicant shall appoint a staff member as the project coordinator to oversee and lead a Project. As a general rule, no award in the form of cash allowance to these staff is permitted. Project managers, engineers or other professionals and personnel outside the enterprise may be recruited to help with the implementation of the BUD Fund projects as stipulated in the Approved Project Proposal by adopting a credible recruitment procedure. To ensure fairness, staff shall be recruited through an open and competitive system. A gist of the recruitment procedures is at the **Appendix** for reference.

### **Conflict of Interest**

Any staff member taking part in a recruitment exercise (e.g. as a recruitment panel member) shall be required to declare any conflict of interest and refrain from participating in the selection process if a candidate under consideration is his family member, relative or close personal friend. Please note that failure to avoid or properly handle conflict of interest situations may give rise to criticism of favouritism, abuse of authority and even allegations of corruption. The Government reserves the right to recall the grant in full should any irregularities or criminal elements are discovered after the disbursement of grant to an applicant.

### **Reference Material**

The Independent Commission Against Corruption (ICAC) has published a booklet “Staff Administration” providing organisations with information on good practices on staff recruitment procedures. Copies of the booklet are available free from the Advisory Services Group of ICAC (tel. 2526 6363). The applicants are advised to obtain this booklet for reference.

**Staff Recruitment Procedures**

- Job vacancies shall be widely advertised in local newspapers and/or other channels.
- The advertisement shall set out clearly the job descriptions and requirements, and other essential information such as the application deadline and the contact point for enquiries.
- All applications received shall be systematically recorded.
- Shortlisting for interview shall be based on predetermined criteria approved by the management and by more than one person, if possible.
- If practicable, a recruitment panel shall be formed to conduct selection interviews and skill tests as necessary.
- A standard assessment form shall be devised to record assessment by individual panel members.
- Assessment of candidates and recommendations of panel members shall be properly documented.
- Approving authority for the staff appointment shall be defined clearly.

**Quotation Invitation to Supplier and confirmation form by Supplier  
(re. Probity, Anti-collusion and Anti Bid-Rigging Requirements)**

\_\_\_\_\_  
(Name of Procurer, i.e., BUD Fund Grantee)

at:

\_\_\_\_\_  
(Address of Procurer)

\_\_\_\_\_  
(Date)

To: \_\_\_\_\_  
(Name of Supplier)  
(Fax no: \_\_\_\_\_ )

Dear Sirs / Madams,

Invitation for the  
quotation/tender of : \_\_\_\_\_  
(Description of Goods/Services Required)

In relation to the captioned quotation/tender, you are reminded that Supplier must abide by the following requirements:

**PROBITY**

- (1) By submitting a quotation/tender, the Supplier represents and warrants that it shall not, and shall procure that his directors, employees, agents and sub-contractors shall not, offer, solicit or accept an advantage as defined in the Prevention of Bribery Ordinance (Cap. 201), in connection with the quotation/tender and execution of the contract.
- (2) Failure to so procure or any act of offering, soliciting or accepting advantage referred to in (1) above committed by the Supplier or by a director, employee, agent or sub-contractor of the Supplier shall, without affecting the Supplier's liability for such failure and act, result in his quotation/tender being invalidated.
- (3) The Procurer shall report all suspected instances of corruption to the Independent Commission Against Corruption.

## **ANTI-COLLUSION AND ANTI BID-RIGGING**

- (1) By submitting a quotation/tender, the Supplier represents and warrants that in relation to the invitation of quotation/tender:
  - (i) it will make reference to the Guidelines of Independent Commission Against Corruption and Competition Commission;
  - (ii) it has not communicated and will not communicate to any person other than the Procurer the amount of any quotation/tender price;
  - (iii) it has not fixed and will not fix the amount of any quotation/tender price by arrangement with any person;
  - (iv) it has not made and will not make any arrangement with any person as to whether it or that other person will or will not submit a quotation/tender;
  - (v) it has not otherwise colluded and will not otherwise collude with any person in any manner whatsoever in the quotation/tender process; and
  - (vi) it will notify and seek prior approval from the Procurer of all subcontracting arrangements after awarding the contract.
- (2) In the event that the Supplier is in breach of any of the representations and/or warranties in Clause (1) above, the Procurer shall be entitled to, without compensation to any person or liability on the part of the Procurer:
  - (i) reject the quotation/tender;
  - (ii) if the Procurer has accepted the quotation/tender, withdraw its acceptance of the quotation/tender; and
  - (iii) if the Procurer has entered into the contract with the Supplier, terminate the contract.
- (3) The Supplier shall indemnify and keep indemnified the Procurer against all losses, damages, costs or expenses arising out of or in relation to any breach of any of the representations and/or warranties in Clause (1) above.
- (4) A breach by a Supplier of any of the representations and/or warranties in Clause (1) may prejudice its future standing as a supplier or service provider of the Procurer.
- (5) Clause (1) shall not apply to agreements, arrangements, communications, understandings, promises or undertakings with:
  - (i) the Procurer;
  - (ii) a joint venture partner, where joint venture arrangements relevant to the bid exist and which are notified to the Procurer;
  - (iii) consultants or sub-contractors, provided that the communications are held in strict confidence and limited to the information required to facilitate that particular consultancy arrangement or sub-contract;
  - (iv) professional advisers, provided that the communications are held in strict confidence and limited to the information required for the adviser to render their professional advice in relation to the Tender;
  - (v) insurers or brokers for the purpose of obtaining an insurance quote, provided that the communications are held in strict confidence and limited to the information required to facilitate that particular insurance arrangement; and
  - (vi) banks for the purpose of obtaining financing for the Contract, provided that the communications are held in strict confidence and limited to the information required to facilitate that financing.

For the avoidance of doubt, the making of a bid by a bidder to the Procurer in public during an auction will not by itself be regarded as a breach of the representation and warranty in Clause (1) above.

- (6) The rights of the Procurer under Clauses (2) to (4) above are in addition to and without prejudice to any other rights or remedies available to it against the Supplier.
- (7) Bid-rigging is inherently anti-competitive and is considered serious anti-competitive conduct under the Competition Ordinance (Cap.619). Supplier who engages in bid-rigging conduct may be liable for the imposition of pecuniary penalties and other sanctions under the Competition Ordinance. The Procurer may, at its discretion, report all suspected instances of bid-rigging to the Competition Commission and provide the Competition Commission with any relevant information, including but not limited to information on the Supplier's quotation/tender and personal information.

Please complete and return the attached confirmation for your quotation/tender. However, you are reminded that by submitting a quotation/tender, irrespectively of whether the attached confirmation is completed/returned, the Supplier represents and warrants that it has agreed to abide by the probity, anti-collusion and anti bid-rigging requirements as set out above.

Yours faithfully,

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(Company Chop and Name of Procurer)

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**Confirmation Form**

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(Date)

To: \_\_\_\_\_  
(Name of Procurer)  
(Fax no: \_\_\_\_\_ )

Dear Sirs / Madams,

Quotation/Tender : \_\_\_\_\_  
of (Description of Goods/Services Required by the Procurer)

Re. the captioned quotation/tender.

I / We agree to abide by the probity, anti-collusion and anti bid-rigging requirements as set out in your invitation.

Yours faithfully,

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(Signature)

Name :

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Position :

---

Company Name :

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Company Chop :

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