

Companies' de minimis funding

Explorer projects:

**Exhibition Explorer, Group Explorer, Market Explorer and Talent Explorer
and Tempo projects**

Funding terms and conditions, 15 April 2019

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1 Funding decision and funding terms and conditions

- The funding decision shall come into effect once the special terms and conditions laid down for entry into force of the decision have been fulfilled and the beneficiary has accepted the funding decision and these funding terms and conditions in the online service.
 - In conjunction with acceptance, the bank account number into which the funding will be deposited shall be indicated.
 - The person approving this decision must be authorized to sign for the organization.
- These terms and conditions for funding are part of the funding decision, and compliance with them is the prerequisite for payment of the funding.
- The funding granted under the funding decision is de minimis aid in accordance with regulation (EU) No 1407/2013 of the European Commission. The total amount of minor (de minimis) support for one business enterprise must not exceed EUR 200,000 for the current and two previous tax years of the period concerned. On the Group level, the parent company and subsidiaries are regarded as one enterprise in accordance with European Commission regulation 2 article 2, and the aid given to these is calculated together. In calculating aid, all aid obtained from the various authorities (for example, the municipalities, regional councils and authorities under the jurisdiction of the Ministries, such as Finnvera Oyj, Centres for Economic Development, Transport and the Environment (ELY Centres) and Business Finland (formerly Tekes) to which the authority has granted aid in accordance with the de minimis terms shall be taken into account.
 - The beneficiary shall be responsible for the accumulation of de minimis aid.
- These funding terms and conditions are issued under section 11 (4) of the Act on Discretionary Government Transfers (688/2001).
- [Scope of application and legal basis](#)



2 Publicity of the funding decision

- The following information will be public: the beneficiary's name, business ID, size, sector, region, form of financing, granting date, the amount of funding granted and the amount paid.
- When the beneficiary disseminates information about the project or its results, it must disclose that Business Finland has provided funding for the project.
- The Ministry of Economic Affairs and Employment, Finnvera, Business Finland Oy and Innovation Funding Agency Business Finland, ELY Centres and TE Offices may exchange client information relating to a beneficiary.
- The Funder may also require information from other authorities and co-funders, such as the Finnish Tax Administration, municipalities, banks, capital investors, Sitra and the Foundation for Finnish Inventions, for the purposes of payment and supervision of funding.
 - The Funder may, notwithstanding confidentiality provisions relating to business secrets, contact these authorities and co-funders in order to obtain or disclose information associated with the beneficiary and this project. By accepting the funding decision, the beneficiary agrees to this exchange of information.
- The beneficiary must submit their annual financial statements, including appendices, for publication in the Finnish Patent and Registration Office, as laid down by law.



3 Accountable project leader

- The accountable project leader appointed by the beneficiary must be in an employment relationship with the beneficiary.
- The accountable leader monitors the implementation of the project referred to in the funding decision.
- The accountable leader is responsible for ensuring that:
 - the funding decision has been accepted in the online service
 - project accounting has been arranged in accordance with these terms and conditions
 - the decision and related terms and conditions are reviewed with financial management/an accounting firm
 - the project is implemented in accordance with the plan
 - declared costs have been incurred by the project within the duration of the project.
 - the persons chosen to manage the project's issues in the online service have access rights to the project.
- In connection with the final report, the accountable leader assures that the funding has been used to implement measures in accordance with the project plan, and that the funding has not been used for export activities, establishing a distribution network, or activities in other member states or third countries.
- In Tempo and Exhibition Explorer projects, the accountable leader also assures that the funding has not been used to purchase services from associated companies other than Group companies within the same group.
 - No purchases from an associated company are accepted in other Explorer funding services.



4 Reporting

- The accountable project leader must submit reports on the project's progress and send the project's cost statement using the online service.
- Upon request, the Funder must be provided with additional information if required for project monitoring. The additional information may include, for example, names of the people working on the project, the salaries subject to withholding tax paid to them, copies of receipts of purchase invoices, invoice itemizations and the selection criteria for purchased services.
- The beneficiary must declare all project costs at the latest in the final cost statement. If the maximum amounts for each cost category in the cost estimate are exceeded, the beneficiary must apply for a change to the cost estimate. No new project costs can be presented after the approval of the final report.
- A person in the financial management of a beneficiary must confirm in connection with the final report that the stated costs are included in the beneficiary's accounting and have been paid by the company. The report template in specific form for confirming the cost statement contact person is available on the website.



5 Payment of funding

- The Funder shall pay out funding on the basis of the approved final report and cost statement. However, the first instalment of the funding may be paid in advance in the Tempo projects.
- The beneficiary must apply for the final funding instalment from the Funder when submitting the final project report and the final cost statement. Any funding that the beneficiary applies for after that will not be granted.
- If the final report shows that, including the advance payments, the funding exceeds the amount due for eligible costs, the beneficiary must return the excess amount.
- In Exhibition Explorer and Group Explorer projects, the minimum government grant paid for joint projects is EUR 500 for SMEs.
- Entitlement to the granted funding or part of it will lapse if the beneficiary does not submit the requested reports or further information by the due date specified in the funding decision or separately notified by the Funder. Innovation Funding Agency Business Finland may order any funding already provided to be repaid immediately, with interest.



6 Joint action

- In joint action, the parties must provide the Funder with a progress report on their own work according to the schedule mentioned in the funding decision.
- In addition to the monitoring of project progress, the project partners must report on how well cooperation has been realized. Any departures from the cooperation foreseen in the project plan must be approved by the Funder.
- A service purchased from another joint action partner receiving funding can only be accepted as a project cost if the service forms part of the business operations of the seller, i.e. it is not part of the R&D&I activities which the seller declares to the Funder.
- Payment of funding may be suspended for all of the partners, if the cooperation foreseen in the project plan is not achieved due to the funding decision concerning one of the partners, or because of a breach of the funding terms and conditions.
- In Exhibition Explorer and Group Explorer projects, the minimum government grant paid for joint projects is EUR 500 for SMEs.
- The Funder has the right to disclose information to other project partners if such information affects cooperative activity or the payment of the funding. The beneficiary will be heard before the notification.



7 Monitoring of costs

- A project plan forms part of the funding decision and is the basis for the approval of costs. All costs based on the project plan are to be reported and declared to the Funder.
- If the maximum amounts for each cost category in the cost estimate are exceeded, an application for a change to the cost estimate is required.
 - No new project costs can be presented after the approval of the final report and cost statement.
- Different costs are considered eligible in different funding services:
 - Exhibition Explorer: costs arisen from fairs
 - Group Explorer: costs arisen from preparing for internationalization
 - other funding services: research, development and innovation expenditure.
- All the eligible costs
 - have arisen from the project during the duration of the project (accrual basis)
 - have been entered in the accounts of the beneficiary
 - is in net amount and VAT-exempt.
- The costs can be accepted with VAT if the beneficiary is not liable to pay VAT. The costs on which VAT is payable may also be declared if they are connected with VAT-exempt operations and the VAT will be payable by the beneficiary.



7.1 Project accounting

- The beneficiary must arrange its accounting so that the costs arising from the project can be itemized and their connection with the accounting and the cost statements verified.
- No hourly working time monitoring for the project is required, but the beneficiary must be able to demonstrate who have worked for the project and what total salaries subject to withholding tax paid were paid to them during the project.
- Project documents and other materials necessary for supervision and auditing must be kept for a period of at least ten years after the payment of the last project-funding instalment.



7.2 Requirements set for expenditure

- The salaries and purchased services must be fully paid in money by the beneficiary when they are reported to the Funder. The payment of investments may not be financed by loans issued by the recipient of the payment. The costs must be based on the corresponding expenditure payment records. This does not apply to computational costs allocated to the project.
- Invoices for work performed during the project may be paid after the project has ended.
- Costs for orders placed before the start of the project period cannot be declared for the project, unless the order includes a cancellation clause that is linked to the launch of the project.
 - In Exhibition Explorer projects, however, reservation and registration costs may be accepted even if they were incurred before the start of the project phase.
- Upon request, the Funder must be provided with additional information if required for project monitoring. Additional information may include copies of receipts, invoice itemizations and the selection criteria for purchased services.



7.3 Eligibility of costs

- The cost-category-specific amounts given in the cost estimate appended to the funding decision determine the maximum amount of individual eligible cost categories. The Funder has the right not to accept costs presented by the beneficiary if their relevance to the project is not clearly substantiated or they are too large in view of the project results.
- The Funder may, at its discretion, accept certain cost statement categories according to an accounting practice that is based on unit costs calculated using the beneficiary's own expenditure records. The use of this must be agreed on a project-specific basis.
- The Funder or a party authorized by it has the right to audit the reliability of the accounting system. The Funder may also require that an independent auditor issues a statement on the reliability of the accounting systems.



7.4 Salaries, declared salaries (1)

- Salaries can be approved in the Tempo and Talent Explorer funding services.
- The beneficiary may declare the proportion of a person's salary for their total working hours that is allocated to the project. The realized work must be compared to the project-plan estimate and any deviations must be reported.
- The amount of salaries declared to the Funder may not substantially differ from
 - what has been paid to the person in question for work at a corresponding level before the project
 - the compensation paid to the person by the beneficiary for other work during the project.
- The Funder may, at its discretion, accept the payment of a reasonable wage or salary to a person working for the project who has not been paid any wage or salary for work before the project.
- The Funder will not accept any salary components that are paid to a person on the condition that funding for the pay component is received from a public funding body.



7.4 Salaries, declared salaries (2)

- The beneficiary must notify the Funder if performance-related and/or other exceptional payment components are included in the declared salaries. The Funder may, at its discretion, approve them if they are an established and important part of the beneficiary's wage or salary payment regime. The beneficiary must always submit the details of the total amount of the exceptional salary components, the payment criteria and period for which the components are paid so that the proportion allocated to the project can be determined.
- If the compensation paid is classified as trade income and not as salary, the beneficiary must declare it under Purchased services in the cost statement.
- As a rule, the salaries of the beneficiary's managerial and administrative personnel are classified as overheads. Such salaries may, on a case-by-case basis, be accepted as direct costs, if the work performed is directly allocated to the project.
- The beneficiary must report any project-related salaries paid to persons coming from abroad to work in Finland or persons working abroad.



7.5 Indirect personnel costs

- 30 % of the salaries paid, which have been approved for the project, will be accepted as indirect personnel costs.
- Indirect personnel costs include
 - social security costs
 - other employment costs, such as recruitment costs, personnel training, fringe benefits, workwear and protective clothing.
- The Funder has the right to verify all indirect personnel costs and pay the funding on the basis of actual indirect personnel costs when these remain under the level approved in the cost estimate. Indirect personnel costs are calculated using the indirect personnel cost calculation tool available on the Business Finland website.



7.6 Purchased services

- Purchased services can be approved in the Tempo, Exhibition Explorer, Group Explorer and Market Explorer funding services.
- Services purchased from third parties can be accepted in accordance with the project plan and invoicing.
- Direct project-related expert service costs can be approved as purchased services.
- All software required in the project is included in other costs.
- Services purchased in Tempo or in Exhibition Explorer projects within the same Group will be accepted as invoiced. Purchased services from non-Finnish Group companies must be stated in the special terms and condition to the decision. Purchases from other associated companies are not considered acceptable costs.
- In other Explorer projects, no purchased services are accepted from the Group companies or other associated companies.
- Definition of an associated company
 - Companies are associated with each other if at least 20 per cent of the other company's entire share capital or corresponding shareholders' equity is directly or indirectly owned or controlled by the other company. The Funder may also consider companies as associated companies if the other company has a controlling interest in the other company or can in other ways influence where the other company makes its purchases. Such a situation may arise, for example, through board membership, the responsible persons, family members or acting as an employee and/or funder.
- Purchased services are itemized in connection with reporting, but they are declared as one instalment.



7.7 Other costs

- A deferred 20 per cent instalment of other costs can be approved in Tempo projects and in Exhibition Explorer, Group Explorer and Talent Explorer projects.
- Other costs include overhead, travel, material and equipment costs, as well as rents and purchase of machinery and equipment, machinery and equipment depreciations and rental costs (incl. cloud services). With respect to these costs, the Funder approves a maximum of 20 per cent of combined wages and salaries and purchased services. These costs need not be reported to the Funder, nor do they need to be included in the beneficiary's project accounting.



7.8 Eligible costs do not include

- export activities, i.e. running costs directly related to export volumes, the establishment and operations of a distribution network or any other export activities
- entertainment expenses, donations, stipends or grants
- costs related to production, advertising, marketing or sales, such as travel, brochures or advertising expenses
- costs for trade fairs (does not apply to Exhibition Explorer)
- financing costs
- the beneficiary's funding share for a project implemented in a research organization
- costs for which public funding that may not be combined with other types of public funding is allocated (for example, the salary costs of a person who has received a startup grant for the same period)
- salary costs for which a pay subsidy has been received
- services containing other public funding
- in Tempo- and Exhibition Explorer-projects services purchased from other associated companies than those belonging to the same Group
- in other Explorer projects services purchased from any associated companies
- costs that are not included in the project plan.



8 Procurement procedures

- If the beneficiary is a public procurement unit or the company has received funding from the Funder or other public funding that covers more than 50 % of the procurement, the beneficiary must comply with the Act on Public Contracts. The procurement must be subject to tendering as a public contract when its total value, exclusive of VAT, exceeds the national threshold value set in the law. If competitive tendering in accordance with the law has not been carried out, funding for procurement for companies may be 50 per cent at maximum.
- If a public procurement unit has made a procurement in violation of the procurement provisions, the procurement price is not an eligible cost.
- The beneficiary must prove that competitive bidding has taken place by attaching a copy of the contract notice published in HILMA (hankintailmoitukset.fi) to the cost statement or by providing justification for applying the direct award procedure.



9 Other public funding

- The reports must specify all other public funding granted for the project by the state, municipalities and other public entities or bodies or foundations governed by public law. Funding granted by the European Union must also be reported.
- The total share of funding received from the project Funder and other sources of public funding may not cover the full cost of activities or a project for which a government grant has been awarded. If necessary, the Funder will reduce its own contribution to ensure that the maximum amount is not exceeded.



10 Monitoring the impact of funding

- The Funder will continue to evaluate the impact of the projects after their completion. If necessary, the beneficiary must report on project results for five years after the completion of the project.
- The beneficiary must, on request, provide details on the outcome of the plans and forecasts that it presented during the processing of the application and the implementation of the project. Upon request, the Funder must be provided with a report on how the business targeted in the project has developed.
- The Funder must be granted the opportunity to review the beneficiary's annual accounts and auditor's reports from the Finnish Patent and Registration Office database for five accounting periods following the completion of the project. The Funder has the right to commission an analysis of the beneficiary's annual accounts from another public Funder.



11 Changes to the project

- The beneficiary must obtain consent for project changes. Consent must be sought from the Funder in writing in advance if the project progress deviates from the plan in the following aspects:
 - significant changes to the project plan
 - changes in cost categories
 - changes to the schedule
 - change of the reporting date
 - change of accountable project leader.
- The beneficiary must immediately notify the Funder of other significant changes to the project, such as changes to key personnel resources.
- Changes of bank account are reported using the form available on the website.



12 Project transfer, IPR and approval of corporate reorganization (1)

- As a rule, a funding decision may not be transferred to a third party.
- The beneficiary must ensure that the ownership, title and intellectual property rights to the results generated in the project belong to the beneficiary, either based on legislation or a separate agreement. If the beneficiary uses intellectual property rights owned by a third party (including employees and owners) in the project, it must ensure that it has sufficient rights to use these intellectual property rights for the research and development as well as the business activities in accordance with the project plan.
- The beneficiary must inform the Funder in writing in advance if, during the project or within five years of payment of the final funding instalment, it
 - sells, gives as security or otherwise assigns business or any part thereof generated in the project
 - sells, gives as security or otherwise assigns intellectual property rights or other rights generated in the project
 - moves its business activities abroad, or
 - undertakes other significant business changes or reorganization activities (including merger, division, significant changes in ownership, and significant personnel cutbacks that are directed at operations funded by the Funder).



12 Project transfer, IPR and approval of corporate reorganization (2)

- Prior written consent of the Funder is required for the measures referred to in this section that are carried out outside the European internal market or that may undermine the realization of the targeted project impacts.
 - No approval is needed if licensing is an integral part of the business originally targeted as part of the project.
- The Funder may give its approval if the targeted project impacts can, for the most part, be achieved in spite of the changes.
- The Funder has the right to claw back the funding under section 17 of these general terms and conditions if the beneficiary violates against the provisions laid down in this section.



13 The beneficiary's disclosure obligation

- The beneficiary must provide the Funder with accurate and sufficient information for the payment of funding and to monitor compliance with the terms and conditions.
- The beneficiary must inform the Funder without delay of any change affecting the realization of the intended use of the funding or of any other change affecting the use of the funding.



14 Right of inspection

- Innovation Funding Agency Business Finland, the National Audit Office, the European Commission and the European Court of Auditors have the right to audit the finances and operations of the beneficiary as required for the payment of the funding and supervision of its use.
- The audits can be performed by other authorities or auditors authorized by Innovation Funding Agency. An external expert may, at the Innovation Funding Agency's request, assist in conducting the inspection.
- Right of inspection is in effect for a period of ten years from payment of the project's last instalment. Project documents and other materials necessary for monitoring and inspections must be stored for a period of at least ten years after the payment of the final funding instalment of the project.
- The beneficiary should assist with the inspection and provide the needed information for the inspector without compensation.
- The auditor has the right to seize any material subject to audit, if auditing so requires. A written record must be drawn up of any seizure of materials during an audit. The record must state the purpose of seizing the material and what has been seized. The seized material must be returned without delay when it is no longer needed for the audit.
- The auditor has, to the extent required by the audit, the right to enter the premises managed or used by the beneficiary. This applies to the business, storage and other similar premises used for the practice of a profession or a business, as well as other areas relevant to the granting of the funding and the supervision of its use. Audits may not be carried out in premises covered by domestic peace.



15 Discontinuation of payments

Innovation Funding Agency Business Finland may order the temporary interruption of the payment of funding on the following grounds:

1. The Funder has reasons to suspect that the beneficiary is not providing the Funder with accurate or adequate information or the information that has been requested or uses the funding in a manner that is in violation of the funding decision.
 2. The grounds on which the funding was granted have essentially changed. Such changes include situations where
 - a) the beneficiary deviates from the project plan without the written agreement of the Funder
 - b) there is a substantial deterioration in the beneficiary's financial position in relation to the anticipated trend
 - c) the company loses its entire equity
 - d) the company initiates restructuring proceedings
 - e) the company accumulates tax debts
 - f) the company has neglected its obligation to pay back loans issued by Business Finland.
 3. European Union law stipulates that the payment of funding be interrupted.
- If the grounds for the interruption are not corrected within the time specified in the decision to interrupt funding, the Innovation Funding Agency Business Finland has the right to discontinue the payment of funding and to claw back the funding already paid in whole or in part.



16 Repayment of funding

- The beneficiary must, without delay, repay any funding or part thereof received through error, in excess or manifestly without cause.
- Amounts of less than one hundred euros need not be repaid.
- The beneficiary must contact the Funder before the repayment of funding.



17 Claw-back of funding (1)

Innovation Funding Agency Business Finland may claw back any funding already paid if the beneficiary violates against these terms and conditions.

17.1 Statutory claw-back

Innovation Funding Agency Business Finland shall issue a decision ordering the discontinuation of the payment of funding and the claw-back of funding already paid if the beneficiary has

1. failed to return funding or part thereof that must be returned under section 16 of these terms and conditions
2. used the funding for a purpose essentially different from that for which it was granted
3. provided false or misleading information about a matter that has been essential to the granting of the funding, its amount or terms and conditions
4. otherwise fundamentally violated the provisions concerning the use of the funding or these terms and conditions of funding in a manner comparable to clauses 1-3.



17 Claw-back of funding (2)

17.2 Discretionary claw-back

Innovation Funding Agency Business Finland has the right to order the discontinuation of the payment of funding and the claw-back of funding or part thereof already paid if

1. false or misleading information has been provided for the purpose of payment of funding or supervision thereof, information has been concealed, the provision of information has been refused or the information requested by Innovation Funding Agency has not been provided by the specified date
2. the beneficiary has not complied with the terms and conditions for funding
3. the beneficiary has not informed the Funder without delay of any change affecting the realization of the intended use of the funding or of any other change affecting the use of the funding
4. the funding has not been used in compliance with the funding decision
5. the beneficiary has refused to assist in the project audit
6. the beneficiary has terminated the project for which the funding was granted, reduced or altered it substantially or transferred it to another party
7. the beneficiary has been subjected to recovery proceedings, placed into liquidation or bankruptcy, or made subject to restructuring proceedings
8. the beneficiary or its representative has been convicted of an offence or ordered to pay penalties, in accordance with section 22 of the Act Amending the Act on Discretionary Government Transfers
9. the claw-back of funding is required under European Union legislation
10. the beneficiary otherwise acts in a manner comparable to the matters in this section.



17 Claw-back of funding (3)

17.3 Interest

- The beneficiary must pay interest on the amount to be repaid or clawed back.
- The interest is applied from the date on which the funding was paid. It is calculated as an annual interest to which three percentage points are added. The annual interest is determined in accordance with section 3(2) of the Interest Act (633/1982).

17.4 Penalty interest

- If the beneficiary has not paid the amount to be repaid by the due date set by Innovation Funding Agency, an annual penalty interest must be paid on the amount.
- For the period after the due date, the penalty interest is determined in accordance with the interest rate referred to in section 4(1) of the Interest Act (633/1982).



17 Claw-back of funding (4)

17.5 Moderation of grant claw-back

- The Innovation Funding Agency may decide to waive a part of the grant to be repaid or clawed back, or any interest or penalty interest on it, if repayment in full is unreasonable in light of the financial standing and circumstances of the beneficiary, in relation to the type of assets acquired with the grant or the procedure on which the claw-back is based, or because of a change in circumstances.
- For an extremely weighty reason, the Innovation Funding Agency may decide to totally waive the sum to be repaid or clawed back, or the interest or penalty interest on it.

17.6 Claw-back time limit

- The funding and interest or penalty interest on it will not be clawed back if ten years have elapsed from remission of the final instalment of funding for the project.



18 The Funder's right of offsetting

- The grant to be repaid or clawed back and the interest on it may be deducted from the other grants paid to the beneficiary.



19 Misuse

- If, during the course of the project, there is reason to suspect that the beneficiary or a person acting on the beneficiary's behalf has committed a criminal offence under the Criminal Code (19 December 1889), with the Funder as the injured party, the Funder will take the required action in the matter.



20 Order of application

In the event of a conflict between the funding decision and appendices to it, the following order of application will apply:

1. Funding decision and any special terms and conditions thereof
2. Funding terms and conditions
3. Cost estimate
4. Project plan
5. Funding application and its appendices
6. Any other documents relevant to the funding decision



21 Scope of application and legal basis

- Annual state budget
- Act on Discretionary Government Transfers (688/2001)
- Act amending the Act on Discretionary Government Transfers (1113/2018)
- Government Decree on Funding for Research, Development and Innovation Activities (1444/2014)
- Government Decree amending the Government Decree on Funding for Research, Development and Innovation Activities (125/2018)
- Government Decree on internationalisation funding granted for joint ventures of enterprises in 2016-2020 (1734/2015)
- Government Decree amending the Government Decree on internationalisation funding granted for joint ventures of enterprises in 2016-2020
- Commission Regulation (EU) No 1407/2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid (Official Journal of the European Union L352, 24 December 2013, page 1)
- Act on the Client Information System of Enterprise Services (293/2017)

