

Non-Devolved PreSeed Accelerator Fund

# Call for Proposals

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2016 - 2019

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MINISTRY OF BUSINESS,  
INNOVATION & EMPLOYMENT  
HIKINA WHAKATUTUKI

[newzealand.govt.nz](http://newzealand.govt.nz)

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Non-Devolved PreSeed Accelerator Fund: Supporting early stage technology commercialisation

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# Introduction

The Ministry of Business, Innovation and Employment (MBIE) invites Applications for the non-devolved 2016 PreSeed Accelerator Fund (PreSeed).

This Call for Proposals invites Applications for investment in non-devolved PreSeed Accelerator Fund (PreSeed) projects. It sets out the:

- > Funding available for investment
- > Eligibility criteria
- > Application process
- > Assessment and approval process
- > Contracting and reporting process.

Applications will be accepted by MBIE until 30 June 2019 or until all funds are committed; whichever occurs earlier.

## FURTHER INFORMATION

<b>MBIE's website</b>	For information on PreSeed, visit the <a href="#">MBIE website</a>
<b>MBIE's Alert e-newsletter</b>	Subscribe to Alerts at the <a href="#">MBIE website</a>
<b>Email</b>	<i>Application queries:</i> <a href="mailto:investmentround@mbie.govt.nz">investmentround@mbie.govt.nz</a> <i>Portal queries:</i> <a href="mailto:IMSsupport@mbie.govt.nz">IMSsupport@mbie.govt.nz</a>
<b>Phone</b>	<i>Portal queries:</i> 0800 693 778 (Monday to Friday, 8:30am to 4:30pm)

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**Section 1:**

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**About the Fund**



# The Funding Opportunity

## Investment Objectives

The purpose of non-devolved PreSeed is to undertake early stage technology commercialisation activities to:

- > maximise the commercial benefits to New Zealand from publicly funded research;
- > improve the commercial capability and skills of public research organisations; and
- > promote linkages between public research organisations and potential private sector partners, including industry players and capital providers, in New Zealand and offshore.

These goals are achieved by progressing technology prospects through a commercialisation process towards a point of investor-readiness. The end goal of non-devolved PreSeed is to attract investor interest to publicly funded research and development.

## The Funding Available

**Up to \$879,898 over three years excluding GST available is available for non-devolved investment from 1 July 2016.**

Allocation of this investment will be made through an on-demand process, not through yearly calls.

The final amounts available for investment may be influenced by:

- > government changes to investment levels or appropriations, and/or
- > expenditure in devolved contracts.

MBIE reserves the right to transfer money between the non-devolved and devolved PreSeed allocations.

Funding is allocated on a per project basis. The final allocation for each non-devolved PreSeed applicant will be informed by recommendations from a Commercialisation Partner Network (CPN) Investment Committee.

MBIE will fund up to 50 per cent of the total project costs. MBIE expects that projects will not be funded to more than \$125,000 (GST exclusive) total project costs.

Projects may run into subsequent financial years if required and if supported by the CPN recommendation (subject to availability of funds).

## Who Can Apply?

New Zealand-based research organisations<sup>1</sup> or legal entities based in New Zealand representing a New Zealand-based research organisation that have a regular and demonstrated flow of suitable commercialisation projects that do not have a devolved PreSeed contract. They may be representing more than one.

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<sup>1</sup> A research organisation is an organisation that has internal capability for carrying out research, science, and technology, and related activities.

## 4

## Eligibility Criteria

PreSeed will accept projects from any public sector research organisation which result from publicly-funded research and align with the priorities in the National Statement of Science Investment.

Public sector research organisations that **do not** have a devolved PreSeed contract can apply for non-devolved funding.

For the purposes of this scheme, public sector research organisations include:

- > collectives of eligible research organisations
- > Crown Research Institutes
- > universities, wānanga, and polytechnics
- > majority owned subsidiaries of eligible research organisations
- > New Zealand-based not for profit research associations

Applicants **must** confirm that their organisation meets these criteria when submitting an Application to MBIE.

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If you have questions about the eligibility of your organisation, seek clarification from MBIE.

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## Eligible Expenses

The following expenditure is eligible for funding:

- > pro-rated salaries of R&D and commercialisation staff plus appropriate proportion of indirect costs
- > the appropriate proportion of the depreciation cost for equipment, buildings and other assets
- > related research consumables and field accommodation costs
- > the costs of subcontracted R&D provision. Overseas contractor costs are permissible
- > prototype development to the point where it is investor-ready. Investor-ready is defined as a working prototype or similar stage at which a private sector firm, venture capital investor or other investor may reasonably be expected to be attracted, in order to advance, or to complete, the commercialisation process
- > product certification costs
- > pre-clinical studies, but not clinical trials
- > direct patent protection, trademark, design or copyright costs (patent defence costs are not permitted)
- > market research, IP strategy development, commercialisation partner engagement (both local and offshore) and other activities associated with progressing a technology development towards investor readiness.

Non-devolved PreSeed is available to support commercialisation activities in research organisations that do not hold existing devolved PreSeed funds and who are building up their commercialisation capability. Accordingly it is available to fund early-stage activities such as reduction of technical risk, proof of concept development, market validation, business case preparation, and securing IP (i.e. triage and Tier One activities as per the [KiwiNet Investment Committee Process Guide](#) definitions).

## Co-Funding Requirements

Non-devolved PreSeed is available to support up to 50 per cent of the total cost of the eligible project. Any suitable mix of the applicants own and/or externally generated funds can make up the balance. Private sector in-kind contributions can be counted as part of the co-funding up to 60 per cent of the co-funded amount (or up to 30 per cent of the total project cost).

Co-funding is tangible support for a work programme<sup>2</sup> which the research organisation provides. There are two types of co-funding: cash and in-kind. In-kind co-funding can include, for example, the use of equipment, staff time, or access to data. The cash value of in-kind co-funding should be estimated using the usual cost of the good or service

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<sup>2</sup> A work programme is a description of your intended activity(ies) and deliverables.

as advised by the provider or, if the item is not generally traded, your estimate of the out-of-pocket costs sustained by the provider in making the good or service available to you.

## Reprioritisation of Existing Funds

The contract holder may reprioritise existing research funds allocated by MBIE, or its predecessor, up to a maximum of 12.5 per cent of eligible costs. Any research fund reprioritisation must remain consistent with the original purpose of the contracted research, and must comply with any restrictions imposed on it.

Permission from MBIE must be obtained and a formal contract variation undertaken in order to reprioritise funds. Depending on the details of the reprioritisation, approval from MBIE's Science Board may also have to be obtained. Reprioritisation will only be approved by MBIE/Science Board if it is aligned with the intent of the existing contract and the impact on delivery of contracted outcomes is not adversely affected.

Reprioritisation from funding from other sources may also occur. Any restrictions that may apply to such funding from other sources (such as its purpose or contract term) must be adhered to. Permission from MBIE and the other funding agency must be obtained prior to applying non-devolved PreSeed funding to the project.

## Payment Schedule

MBIE pays in arrears on receipt and approval of a suitable invoice and activity report showing total PreSeed expenditure, including co-funding.

## Duration of a Non-Devolved PreSeed Contract

The duration of each contract is project specific and is determined by project needs and the recommendation from the CPN investment committee. MBIE expects that most projects will not be funded for more than two years.

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## Section 2:

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# The Application and Assessment Process



# The Application, Assessment and Contracting Process

## The Application Process

Eligible organisations with a suitable commercialisation project (*see on page 4*) may apply for non-devolved PreSeed on a project specific basis. Application forms are available from any of the following approved Commercialisation Partner Networks (CPN).

- > Kiwi Innovation Network Limited
- > Return On Science

The Application must include total project costs and key milestones.

On receipt of the completed Application, the selected CPN assigns it to one of the following investment committees:

- > Kiwi Innovation Network Limited Investment Committee
- > Return On Science Life Sciences Investment Committee
- > Return On Science Agritech & Foodtech Investment Committee
- > Return On Science ICT Investment Committee
- > Return On Science Physical Sciences Investment Committee.

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MBIE reserves the right to approve other committees, or to withdraw support.

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Applicants present their completed Application form to a CPN Investment Committee who then review and evaluate the project and make a non-devolved funding recommendation to MBIE. The recommendation specifies:

- > the amount of non-devolved PreSeed;
- > the amount of co-funding that should be applied to the project;
- > what the funding should be used for; and
- > the stage of project development that the funding will cover. For example, completion of a particular stage of development, or completion of the entire project.

The CPNs will ensure adequate provisions are made for confidentiality and conflicts of interest when gathering information about projects.

Applicants then submit their completed Application and CPN letter of recommendation to MBIE via the Investment Management System (IMS) – a secure online portal.

MBIE reviews, approves (if appropriate) and provides the contract.

Applicants may apply for additional funding for the project on completion of the specified project stage. In this instance, the applicant should present project progress and intended next steps to the CPN Investment Committee that originally recommended the funding.

Alternatively, the contract may include conditions such as regular milestone checks with the CPN Investment Committee that recommended the PreSeed allocation. If required, these CPN milestone or progress checks also serve as payment milestones. The contracted party must report progress to the CPN Investment Committee and provide evidence to MBIE that the CPN Investment Committee is satisfied with progress before they can draw down the relevant instalment of funds.

## 8

## The Evaluation Criteria

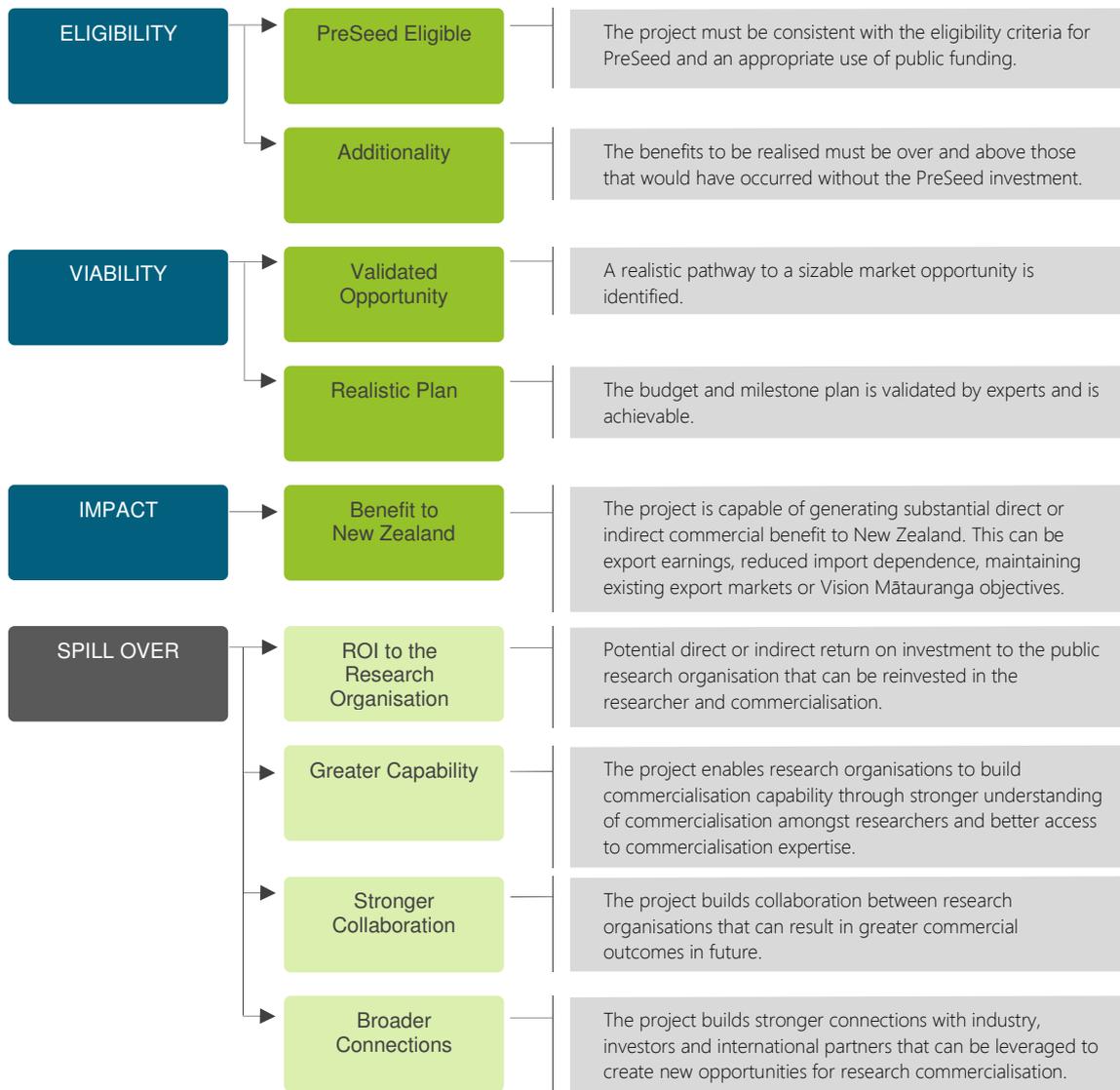
When considering a new commercial development plan there are three main areas the CPN Investment Committee evaluate when making a recommendation to MBIE:

- > Eligibility
- > Viability
- > Impact

For a project to be funded it must adequately satisfy all of these criteria.

For more details about these criteria, see the [KiwiNet Investment Committee Investment Principles and Guidelines](#)

The purpose of the non-devolved PreSeed fund is to build such research commercialisation in organisations that are not yet able to successfully apply for devolved PreSeed funding. Hence, the CPN Investment Committee should also consider “Spill over” benefits. These are outcomes that help create an environment that fosters greater research commercialisation in the future.



## The Decision Making and Contracting Process

Following the receipt of a positive recommendation from a CPN Investment Committee, MBIE reviews, and if appropriate, approves the Application. In making a final approval decision, MBIE considers eligibility, the CPN recommendation, other relevant considerations and the amount of funding in the non-devolved pool. Applicants will receive a letter notifying their results.

Successful applicants are required to enter into a contract with MBIE. The contract contains the standard terms and conditions on which MBIE allocates PreSeed funding. By submitting an Application you are agreeing to accept the terms and conditions of the contract. Additional contract conditions recommended by the CPN Investment Committee may be incorporated into the Contract as appropriate.

## Performance Monitoring

Non-devolved PreSeed projects are monitored at completion of the project with a set of performance metrics. The metrics to be employed are provided in the contract and detailed below. MBIE reserves the right to amend these metrics.

The completion report must include:

- > Outcome and status of the project
  - name and, where available, identifier (such as the Open Researcher and Contributor ID) for the principal investigator
- > If applicable, any commercial benefits realised including:
  - description of commercial deal/s
  - name and National Business Number of any spin-out company or licensee
  - revenue generated (whether to the contract holder or to spin-out entity)
  - capital value of deal, spin-out or joint venture
  - employment opportunities generated
- > Co-funding
  - percentage and amount of investment from applicant's internal sources
  - percentage and amount of investment from external investors
  - percentage and amount of in-kind funding
  - percentage and amount of funding from re-prioritised funds.

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## Section 3:

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# Submitting Your Application



# Submitting Your Application

Non-Devolved PreSeed Applications and CPN Investment Committee letters of recommendations are submitted to MBIE using MBIE's Investment Management System (IMS) – a secure, online portal.

Submitting an Application through the IMS Portal comprises three stages:

1. Registering for access to the IMS portal (only required if you do not already have access).
2. Completing three sections with key information regarding your Application.
3. Uploading your CPN Investment Committee - Completed Application and CPN Investment Committee recommendation letter.

**Applications will be accepted by MBIE until 30 June 2019 or until all funds are committed; whichever occurs earlier.**

## MBIE's IMS Portal Access/Registration

If you have not used the IMS portal before, you need to complete and email a [registration form](#) to [imssupport@mbie.govt.nz](mailto:imssupport@mbie.govt.nz). On acceptance, you will receive a Username, temporary password and instruction on how to access.

For returning applicants: log in using your existing username and password. If you've forgotten this, use the **I've forgotten my password** option.

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Five or more failed log-in attempts will automatically lock you out of the system. If this occurs, contact the Investment Operations Team and ask for your account to be unlocked.

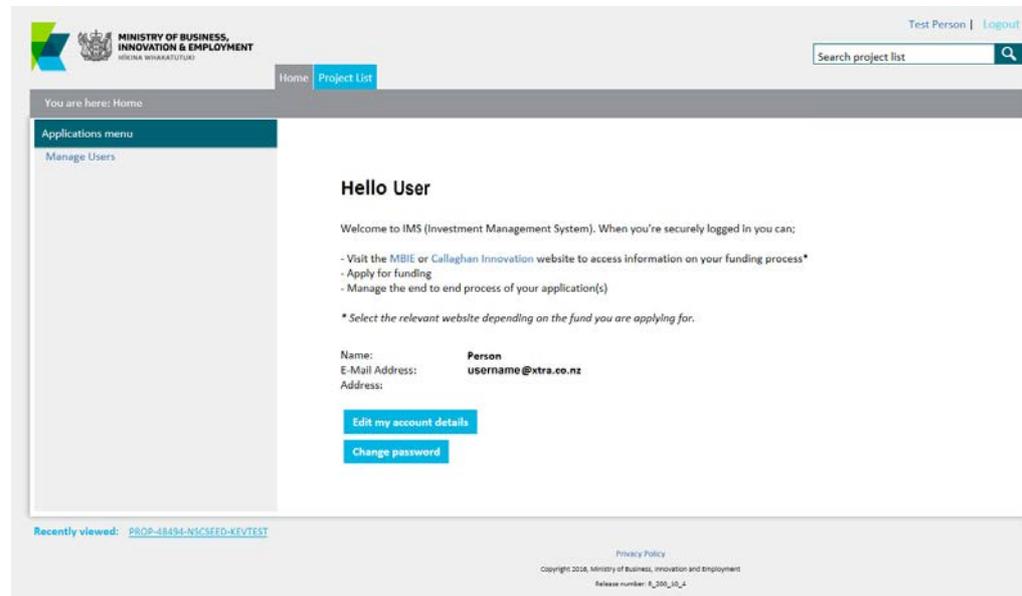
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For all IMS portal queries, e-mail or call the Investment Operations Team:

**Email** [imssupport@mbie.govt.nz](mailto:imssupport@mbie.govt.nz)  
**Phone** 0800 693 778 (Monday to Friday, 8:30am to 4:30pm)

## To Submit an Application:

1. From the **Home** screen of IMS portal, click the **Project List** tab.



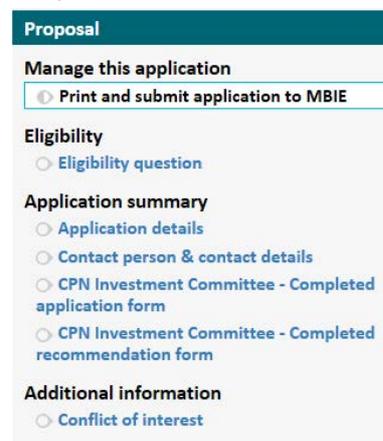
2. Click the **New Application** button (located to the right of the screen).



3. On the resulting screen, select **2016/2019 PreSeed Accelerator Fund (Non-Devolved)** from the **Investment Process** field
4. Enter the title of your project in to the **Project title** field and then click the **Create** button.

Provide a meaningful short title of no more than six words. Do not use acronyms or abbreviations. Your short title will be used for everyday use and reference.

5. There are three sections to complete; **Eligibility**, **Application summary** and **Additional information**. Complete all the fields in these three sections.



Mandatory fields are marked with an asterisk (either red or black).  
 - Fields with a red \* must be completed before you can save and close the current section.  
 - Fields with a black \* must be completed before you can submit your Application.

We recommend that you regularly click the **Save** button to save work as you are going.

Symbols alongside each section in the navigation panel allow you to easily check the completeness of your submission.

### THE SYMBOL INDICATES THE SECTION...

	has not started.
	is in progress.
	contains invalid or incomplete fields.
	complete and valid.

6. In the **Eligibility** section, answer (Yes or No) the following question:

Is the applicant a New Zealand-based public sector research organisation or New Zealand-based legal entity representing a New Zealand-based public sector research organisation that does not have a devolved PreSeed contract?

For the purposes of this scheme, public sector research organisations include:

- collectives of eligible research organisations
- Crown research institutes
- universities, wānanga, and polytechnics
- majority owned subsidiaries of eligible research organisations
- New Zealand-based not for profit research associations

If you have answered **No**, explain why the eligibility criterion is not met in the text field.

7. Complete the **Application summary** section as follows.

The screenshot shows the 'Application details' section of the MBIE Project List application form. The form is titled 'Project List' and is for a project with ID 'MBIE PROP XXXXX-PSAFND-XXXX'. The 'Project status' is 'In progress'. The 'Application details' section includes the following information:

- Investment area:** 2016/2019 PreSeed Accelerator Fund (Non-Devolved) Testing
- Contracting organisation:** University of Auckland
- Postal address:** Private Bag 92019, AUCKLAND, NEW ZEALAND, 1142
- Courier address:** 49 Symonds Street, AUCKLAND, NZ, 1010
- Total project cost:** 0.00 (GST excl. amount), 0.00 (GST amount), 0.00 (Total amount)
- Funding requested of MBIE:** 0.00 (GST excl. amount), 0.00 (GST amount), 0.00 (Total amount)
- Project title:** name of project
- Project start and end dates:** Start date (dd/mm/yyyy) and End date (dd/mm/yyyy)

- 7.1 In the **Application details** sub section enter the:
- **Total project cost** and press <Tab>.
  - **Funding requested of MBIE** and press <Tab>.
  - **Project start and end dates**.
- 7.2 In the **Contact person & contact details** section, specify the primary contact person's name, email address and a telephone number. MBIE will contact this person if we have any administrative questions about your Application. Your contact person must have the mandate from your organisation to discuss the Application with MBIE officials. They should not be the Science Leader.
- 7.3 In the **CPN Investment Committee - Completed Application form** section, upload your completed Application.
- 7.4 In the **CPN Investment Committee - Completed recommendation form** section, upload the recommendation letter from the CPN Investment Committee.

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You can upload all forms of documents, for example, Excel, Word and unsecured PDFs. Note that we will not be able to access or print your Plan if you load a secured PDF.

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8. In the **Additional information** section:
- Identify any person who has an actual/potential/perceived conflict of interest with your project and why. Include MBIE staff, if relevant.
  - Detail any proposed arrangements to manage any conflict of interest.

9. When you have completed all sections, scroll to the top of left hand navigation panel and click the **Print and submit Application to MBIE** link.
10. Click the **Check my Application before submission** button to run a validation check. This check will verify the completeness of your Application and will detect any missing content.

If the validation is successful, every section in the navigation panel is marked with the symbol .

If errors and/or incomplete fields are detected, these will display as:

- light blue error message hyperlinks in the **Application validation result** section.
- a  beside the relevant sections.

11. Click the first error message to open the section, make the required corrections/additions and click the **Save** button.
12. If applicable, repeat for other sections marked with .
13. Once you have corrected all of the errors and / or added all of the missing information, click the **Print and submit Application to MBIE** link then the **Check my Application before submission** button again.
14. On achieving a successful validation, click the **Submit to IMS** button.

# Appendix One: Terms and Conditions Relating to this Call for Proposals

By submitting an Application you are agreeing to these terms and conditions.

## 1 GENERAL

- 1.1 The terms and conditions are non-negotiable and do not require a response. Each applicant that submits a Proposal (hereafter referred to as "you") will be deemed to have agreed to the Call for Proposals terms and conditions without reservation or variation.

## 2 INVESTIGATIONS AND RELIANCE ON INFORMATION

- 2.1 You must examine this Call for Proposals and any documents referenced by this Call for Proposals and carry out all necessary investigations before submitting a Proposal. If you are in doubt as to the meaning of any part of this Call for Proposals, you must set out in your Proposal the interpretation and any assumptions you used.
- 2.2 MBIE will not be liable (in contract or tort, including negligence, or otherwise) to anyone who relies on any information provided by or on behalf of MBIE in or in connection with this Call for Proposals.

## 3 RELIANCE BY APPLICANTS

- 3.1 All information contained in this Call for Proposals or given to you by MBIE is for the purpose of allowing you to prepare your Proposal. MBIE has endeavoured to ensure the integrity of such information. However, it has not been independently verified and may not be up to date.

## 4 RELIANCE BY MBIE

- 4.1 MBIE may rely upon all statements you make in your Proposal and in correspondence or negotiations with MBIE or its representatives. If a Proposal is funded by MBIE, any such statements may be included in the contract.
- 4.2 You must ensure all information you provide to MBIE is complete and accurate. MBIE is under no obligation to check any Proposal for errors, omissions, or inaccuracies. You must notify MBIE promptly upon becoming aware of any errors, omissions, or inaccuracies in your Proposal or in any additional information you provide.

## 5 INDUCEMENTS

- 5.1 You must not directly or indirectly provide any form of inducement or reward to any assessment panel member, officer, employee, advisor, or other representative of MBIE in connection with this Call for Proposals.
- 5.2 Business-as-usual communications (relating to funding under existing arrangements between MBIE and your organisation) will be maintained with the usual contacts. However, during the Call for Proposals process, you must not use business-as-usual contacts to solicit or discuss details of this Call for Proposals or any Proposal you have, or intend to, submit, with any person at MBIE or its agents, including the assessment panel members.

## 6 OWNERSHIP AND INTELLECTUAL PROPERTY

- 6.1 This Call for Proposals and any other documents MBIE provides to you remain the property of MBIE. All copyright and other rights in this Call for Proposals and in any other documentation or information provided to you or any other person by or on behalf of MBIE in connection with this Call for Proposals will remain with, and belong to, MBIE or its licensors.
- 6.2 MBIE may request at any time the immediate return of all documents supplied and any copies made of them. You must comply with any such request in a timely manner.
- 6.3 Any Proposals or information you supply to MBIE will become the property of MBIE and may not be returned to you. Ownership of the Intellectual Property rights in a Proposal does not pass to MBIE. However, in submitting your Proposal, you grant MBIE a non-exclusive, non-transferable, perpetual licence to retain, use, disclose, and copy your Proposal for any purpose related to this Call for Proposals process.
- 6.3 By submitting a Proposal, you warrant that the provision to MBIE of the information contained in your Proposal, and MBIE's use of it for the evaluation of your Proposal and for any resulting negotiation, will not breach any third-party intellectual property rights.

## 7 CONFIDENTIALITY

- 7.1 You and MBIE will each take reasonable steps to protect Confidential Information<sup>3</sup> and, subject to paragraph 7.3, and without limiting any confidentiality undertaking agreed between them, will not disclose Confidential Information to a third party without the other's prior written consent.
- 7.2 You and MBIE may each disclose Confidential Information to any person who is directly involved in the Call for Proposals process on its behalf, such as officers, employees, consultants, contractors, professional advisors, evaluation panel members, partners, principals or directors, but only for the purpose of participating in the Call for Proposals.
- 7.3 You acknowledge that MBIE's obligations under paragraph 7.1 are subject to requirements imposed by the Official Information Act 1982 (OIA), the Privacy Act 1993, parliamentary and constitutional convention and any other obligations imposed by law. Where MBIE receives an OIA request that relates to your Confidential Information, MBIE will consult with you and may ask you to explain why the information is considered by you to be confidential or commercially sensitive.

## 8 THE PROPOSAL PROCESS

- 8.1 Despite any other provision in the Call for Proposals, MBIE reserves the following rights:
- > MBIE may amend, suspend, cancel and/or re-issue the Call for Proposals, or any part of the Call for Proposals.
  - > MBIE may make any material change to the Call for Proposals (including any date) on the condition that you are given a reasonable time within which to respond to the change.
  - > In exceptional circumstances, MBIE may accept a late proposal where it considers that there is no material prejudice to other applicants.
  - > MBIE may waive irregularities or requirements in or during the Call for Proposals process where it considers it appropriate and reasonable to do so.

- > Your Proposal may not be approved for funding.
- > All or any Proposal (s) may be rejected.
- > Your Proposal may be accepted in whole, or in part.
- > Any information you provide to MBIE with your Proposal may be retained or destroyed.
- > Clarification may be sought from any applicant(s) in relation to any matter in connection with this Call for Proposals process.
- > Any applicant(s) may be contacted, which may be to the exclusion of any other applicant(s), at any time before or after the approval (if any) of Proposal(s).
- > MBIE may reject, or not consider further, any documentation related to your Proposal that may be received from you, unless it is specifically requested.
- > MBIE may amend the proposed contract at any time.
- > This Call for Proposals process may be run in such manner as MBIE may see fit.

## 9 NO CONTRACTUAL OBLIGATIONS CREATED

- 9.1 No contract or other legal obligations arise between you and MBIE out of or in relation to this Call for Proposals or Call for Proposals process, until a formal written contract (if any) is signed by both you and MBIE.
- 9.2 This Call for Proposals does not constitute an offer by MBIE to provide funding or enter into any agreement with you. The call for and receipt of Proposals does not imply any obligation on MBIE to contract any funding requested in your Proposal. MBIE will not be bound in any way until a science investment contract is executed.
- 9.3 MBIE makes no representations nor gives any warranties in this Call for Proposals.
- 9.4 Any verbal communications made during the Call for Proposals process will not be binding on MBIE and are subject to the terms of this Call for Proposals.

<sup>3</sup> Information that:

- is by its nature confidential
- is marked by either MBIE or an applicant as 'confidential', 'commercially sensitive', 'sensitive', 'in confidence', 'top secret', 'secret', 'classified' and/or 'restricted'
- is provided by MBIE, an applicant, or a third party in confidence
- MBIE or an applicant knows, or ought to know, is confidential.

Confidential information does not cover information that is in the public domain through no fault of either MBIE or an applicant.

**10 NO PROCESS CONTRACT**

- 10.1 Despite any other provision in this Call for Proposals or any other document relating to this Call for Proposals, the issue of this Call for Proposals does not legally oblige or otherwise commit MBIE to proceed with or follow the process outlined in this Call for Proposals or to assess your proposal or enter into any negotiations or contractual arrangements with you.
- 10.2 For the avoidance of doubt, this Call for Proposals process does not give rise to a process contract.

**11 EXCLUSION OF LIABILITY**

- 11.1 Neither MBIE nor any assessment panel members, officers, employees, advisers or other representatives will be liable (in contract or tort, including negligence, or otherwise) for any direct or indirect damage, expense, loss or cost (including legal costs) incurred or suffered by you, your affiliates or any other person in connection with this Call for Proposals process, including without limitation:
- > the assessment process
  - > the preparation of any Proposal
  - > any investigations of or by any applicant
  - > concluding any contract
  - > the acceptance or rejection of any Proposal
  - > the suspension or cancellation of the process contemplated in this Call for Proposals, or
  - > any information given or not given to any applicant(s).
  - > By participating in this Call for Proposals process, you waive any rights you may have to make any claim against MBIE. To the extent that legal relations between MBIE and you cannot be excluded as a matter of law, the liability of MBIE is limited to \$1.
- 11.2 Nothing contained or implied in or arising out of this Call for Proposals or any other communications to any applicant shall be construed as legal, financial, or other advice of any kind.

**12 COSTS AND EXPENSES**

- 12.1 MBIE is not responsible for any costs or expenses incurred by you in the preparation of a Proposal.

**13 GOVERNING LAW AND JURISDICTION**

- 13.1 This Call for Proposals will be construed according to, and governed by, New Zealand law and you agree to submit to the exclusive jurisdiction of New Zealand courts in any dispute concerning this Call for Proposals. or any Proposal.
- 13.2 MBIE may make public the following information:
- > the name of any applicant
  - > the Application title
  - > the research fund from which the Application would be funded
  - > the relevant industry
  - > the total amount approved for funding and the period of time for which funding has been requested.
- 13.3 MBIE asks that you don't release any media statement or other information relating to the process outlined in this Call for Proposals, or the submission or approval of any Proposal to any public medium without providing sufficient advance Notice to MBIE.



MINISTRY OF BUSINESS,  
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