



PhotonDelta
Gateway to Integrated Photonics

Addendum on the
Funding criteria PhotonDelta
Submission and evaluation criteria

Specific terms and conditions for Pillar 2 and 4 proposals

Bestuur Stichting PhotonDelta
02 December 2019, Eindhoven

VERSION 1.4

1. Additional criteria for pillar II & IV proposals

If you are applying for funding for an activity or project which fits pillar II & IV, and your project results do not lead to any form of *direct* commercial exploitation for the involved parties (e.g. revenues from product sales, IP Licensing, dedicated service/platform offering), your proposal must fit (one of) the following criteria, due to State Aid regulations:

- Applications must comply with the requirements as laid down in Article 6 of the Regulation (incentive effect) 'Algemene Groepsvrijstellings verordening' (AGVV).

Related to Art. 18 GBER - Aid for consultancy in favour of SMEs (Art. 18 AGVV - Consultancysteun voor kmo's)

- The funding intensity shall not exceed 50% of the eligible costs.
- The eligible costs shall be the costs of consultancy services provided by external consultants.
- The services concerned shall not be a continuous or periodic activity nor relate to the company's usual operating costs, such as routine tax consultancy services, regular legal services or advertising.

Related to Art. 19 GBER - Aid to SMEs for participation in fairs (Art. 19 AGVV - Kmo-steun ten behoeve van deelneming aan beurzen)

- The eligible costs shall be the costs incurred for renting, setting up and running the stand for the participation of a company in any particular fair or exhibition.
- The funding intensity shall not exceed 50% of the eligible costs.

Related to Art. 25 GBER - Aid for research and development projects (Art. 25 AGVV - Steun voor onderzoeks- en ontwikkelingsprojecten)

- The funded part of the research and development project shall completely fall within one or more of the following categories (see next chapter for definitions):
 - fundamental research;
 - industrial research;
 - experimental development; or
 - feasibility studies.
- The eligible costs of research and development projects shall be allocated to a specific category of research and development and shall be the following:
 - (a) personnel costs: researchers, technicians and other supporting staff to the extent employed on the project;
 - (b) costs of instruments and equipment to the extent and for the period used for the project. Where such instruments and equipment are not used for their full life for the project, only the depreciation costs corresponding to the life of the project, as calculated on the basis of generally accepted accounting principles are considered as eligible;
 - (c) costs for of buildings and land, to the extent and for the duration period used for the project. With regard to buildings, only the depreciation costs corresponding to the life of the project, as calculated on the basis of generally accepted accounting principles are considered as eligible. For land, costs of commercial transfer or actually incurred capital costs are eligible;

- (d) costs of contractual research, knowledge and patents bought or licensed from outside sources at arm's length conditions, as well as costs of consultancy and equivalent services used exclusively for the project;
- (e) additional overheads and other operating expenses, including costs of materials, supplies and similar products, incurred directly as a result of the project.
- The eligible costs for feasibility studies shall be the costs of the study.
- The funding for each beneficiary shall not exceed (see next chapter for definitions):
 - (a) 100 % of the eligible costs for fundamental research
 - (b) 50% of the eligible costs for industrial research;
 - (c) 25% of the eligible costs for experimental development;
 - (d) 50% of the eligible costs for feasibility studies.
 The funding for industrial research and experimental development may be increased up to a maximum funding intensity of 80% of the eligible costs as follows:
 - (a) by 10% for medium-sized enterprises and by 20% for small enterprises;
 - (b) by 15% if one of the following conditions is fulfilled:
 - (i) the project involves effective collaboration:
 - between undertakings among which at least one is an SME, or is carried out in at least two Member States, or in a Member State and in a Contracting Party of the EEA Agreement, and no single undertaking bears more than 70% of the eligible costs, or
 - between an undertaking and one or more research and knowledge dissemination organizations, where the latter bear at least 10% of the eligible costs and have the right to publish their own research results;
 - (ii) the results of the project are widely disseminated through conferences, publication, open access repositories, or free or open source software.
 The aid intensities for feasibility studies may be increased by 10% for medium-sized enterprises and by 20% for small enterprises.

Related to Art. 26 GBER - Investment aid for research infrastructures (Art. 26 AGVV - Investeringssteun voor onderzoeksinfrastructuur)

- Where a research infrastructure pursues both economic and non-economic activities, the financing, costs and revenues of each type of activity shall be accounted for separately on the basis of consistently applied and objectively justifiable cost accounting principles.
- The eligible costs shall be investment costs in intangible and tangible assets. The funding intensity shall not exceed 50% of the eligible costs.
- Access to the infrastructure shall be open to several users and be granted on a transparent and non-discriminatory basis. Undertakings which have financed at least 10 % of the investment costs of the infrastructure may be granted preferential access under more favourable conditions. In order to avoid overcompensation, such access shall be proportional to the undertaking's contribution to the investment costs and these conditions shall be made publicly available.
- The price charged for the operation or use of the infrastructure shall correspond to a market price.

Related to Art. 28 GBER - Innovation aid for SMEs (Art. 28 AGVV - Innovatiesteun voor kmo's)

- The funding intensity shall not exceed 50% of the eligible costs. The funding intensity can be increased up to 100% if the eligible costs provided that the total amount of aid for innovation advisory and support services does not exceed EUR 200.000 per company within any three year period.
- The eligible costs shall be the costs for:
 - obtaining, validating and defending patents and other intangible assets;
 - secondment of highly qualified personnel from a research and knowledge-dissemination organization or a large enterprise, working on research, development and innovation activities in a newly created function within the beneficiary and not replacing other personnel; and
 - innovation advisory and support services.

2. Definitions

Research and knowledge-dissemination organisation': entity (such as universities or research institutes, technology transfer agencies, innovation intermediaries, research-oriented physical or virtual collaborative entities), irrespective of its legal status (organised under public or private law) or way of financing, whose primary goal is to independently conduct fundamental research, industrial research or experimental development or to widely disseminate the results of such activities by way of teaching, publication or knowledge transfer. Where such entity also pursues economic activities the financing, the costs and the revenues of those economic activities must be accounted for separately. Undertakings that can exert a decisive influence upon such an entity, in the quality of, for example, shareholders or members, may not enjoy preferential access to the results generated by it;

'fundamental research': experimental or theoretical work undertaken primarily to acquire new knowledge of the underlying foundations of phenomena and observable facts, without any direct commercial application or use in view;

'industrial research': the planned research or critical investigation aimed at the acquisition of new knowledge and skills for developing new products, processes or services or for bringing about a significant improvement in existing products, processes or services. It comprises the creation of components parts of complex systems, and may include the construction of prototypes in a laboratory environment or in an environment with simulated interfaces to existing systems as well as of pilot lines, when necessary for the industrial research and notably for generic technology validation;

'experimental development': acquiring, combining, shaping and using existing scientific, technological, business and other relevant knowledge and skills with the aim of developing new or improved products, processes or services. This may also include, for example, activities aiming at the conceptual definition, planning and documentation of new products, processes or services;

Experimental development may comprise prototyping, demonstrating, piloting, testing and validation of new or improved products, processes or services in environments representative of real life operating conditions where the primary objective is to make further technical improvements on products, processes or services that are not substantially set. This may include the development of a commercially usable prototype or pilot which is necessarily the final commercial product and which is too expensive to produce for it to be used only for demonstration and validation purposes. Experimental development does not include routine or periodic changes made to existing products, production lines, manufacturing processes, services and other operations in progress, even if those changes may represent improvements;

'feasibility study': the evaluation and analysis of the potential of a project, which aims at supporting the process of decision-making by objectively and rationally uncovering its strengths and weaknesses, opportunities and threats, as well as identifying the resources required to carry it through and ultimately its prospects for success;

"SME": Small and Medium Enterprise within the meaning of the Regulation

"Small Enterprises": Small Enterprises within the meaning of the Regulation

"Medium Enterprises": Medium Enterprises within the meaning of the Regulation

"The Regulation": Commission Regulation (EU) No 651/2014 of 17 June 2014