



# **Construction Innovation and Technology Fund**

## **Guide to Application**

**(Effective on 1 January 2022)**

**December 2021 Issue**

## **Objective**

The Construction Innovation and Technology Fund (CITF) aims to encourage wider adoption of innovative construction methods and technology in the construction industry (“**Technology Adoption**”), and to build up the capacity of industry practitioners (ranging from skilled workers to professionals) and tertiary students in construction-related disciplines through developing an innovative culture and cultivating an innovative mindset to embrace new technology for the continuous improvement of the construction industry (“**Manpower Development**”).

## **Funding Scope**

2. The CITF provides support to projects and activities in the construction industry which have not benefited under any other Government funding schemes. It funds projects and activities which are in line with the following strategic directions in driving the development of the construction industry, namely:

- **Technology adoption** - encouraging the adoption of innovative construction methods and technology in the construction industry to promote productivity, uplift built quality, improve site safety and enhance environmental performance; and
- **Manpower development** - enhancing the capacity of practitioners to harness technology for continuous improvement in the construction industry.

3. In general, the CITF will not fund the maintenance cost, office overheads, materials cost, consumables, spare parts, solutions, services and other administrative expenses incurred in the project.

4. Details of the funding arrangement, funding mode and required documents are provided at the Application Framework attached as Appendix I to this Guide.

### **(1) Technology Adoption**

5. Technology adoption covers the use of advanced construction technologies (ACT), building information modelling (BIM), modular integrated construction (MiC), prefabricated steel rebar (STB) and industrialised processing – robotic welding in the design and construction process of a works project.

## **(a) Advanced Construction Technologies (ACT)**

6. ACT covers the following key themes:

- automation and robotics;
- advanced tools and equipment;
- digitalisation;
- sensors and Internet of Things (IoT);
- advanced construction materials; and
- other ACTs.

7. There are three funding streams under ACT, namely (i) general adoption (procurement) and rental; (ii) ACT pioneering application in Hong Kong; and (iii) industrialised process – robotic welding.

### *(i) General Adoption (Procurement) and Rental*

8. Funding is provided on a 70% matching basis to support procurement and rental of advanced technologies for application in local projects, subject to a combined per-company cap of \$6 million shared between ACT and BIM. Applicants are allowed to submit multiple applications so long as the per-company cap has not be exhausted. A higher matching ratio of 80% is allowed for locally-developed innovations or products to support local innovations. As the CITF seeks to facilitate expanded/ extended use of innovations and technologies as far as practicable, priority has been accorded to buying the products outright. To this end, applicants intending to receive funding support for rental use are subject to a per-company sub-cap of \$0.6 million, out of the per-company cap \$6 million .

9. Per-technology caps have also been put in place to encourage applicants to adopt multiple technologies. Applicants can apply up to \$1.5 million for one technology including a sub-cap of \$0.3 million for rental. Details of the funding mode and application requirements are detailed in the Application Framework at Appendix I to this Guide.

10. While applicants are subject to a per-technology cap of \$1.5 million for general adoption and rental under ACT in general, a higher cap of \$2 million is allowed for technologies primarily enhancing construction safety<sup>1</sup> with a view to promoting construction safety with the use of advanced technologies.

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<sup>1</sup> The list of pre-approved products which are primarily enhancing construction safety is available on the CITF website.

*(ii) ACT Pioneering Applications in Hong Kong*

11. The CITF supports ACT Pioneering Applications in Hong Kong by subsidising the cost of bringing in, for adoption in Hong Kong, **emerging technologies** which have good potential for wider benefits of the local construction industry.

12. Eligible applications shall involve either a **proven technology outside Hong Kong** which is newly adopted for on-site application in Hong Kong (e.g. 3D printing), or modification, combination or enhancement of technologies already exist in Hong Kong but put to a **new functional use** (e.g. to modify/enhance existing plant/equipment for on-site use in conjunction with AI/sensor technology to enhance site safety). The applicant has the flexibility to adopt the technology under application in more than one project with a view to enabling more thorough trial of the technology under different scenarios.

13. The CITF supports the overall costs incidental to introducing/modifying the technolog(ies) concerned for experiential use in Hong Kong, including the costs involved in machine procurement and delivery, hardware and software modification and adaptation for a new functional use in Hong Kong, related material, manpower development and training costs, etc. The subsidy is provided on a 70% matching ratio<sup>2</sup> generally, subject to a per-application cap of \$10M<sup>3</sup>. The CITF subsidy under this stream will not count towards the ACT and BIM per-technology/ per-company caps as mentioned in paragraph 8 and 9 above.

14. Applications will be evaluated against its (i) **innovation** (i.e. whether the technology/functional use is new to Hong Kong); and (ii) **replicability** (i.e. whether the technology/functional use could be extended for industry-wide application for the benefit of the industry at large).

15. Lead applicants (e.g. contractors, consultants, subcontractors or trade associations) may collaborate with key partners from local tertiary institutions (e.g. universities), local research institutes (e.g. Logistics and Supply Chain MultiTech R&D Centre, Nano and Advanced Materials Institute, etc.) and/or quasi-governmental organisations with research capabilities (e.g. Cyberport, Hong Kong Science and Technology Park, Hong Kong Productivity Council, etc.) to put up applications.

16. During application, applicants shall submit an initial idea of the proposal for preliminary screening. Application with technologies considered bona fide innovative and conducive to the long term development of the local construction

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<sup>2</sup> A lower matching ratio may be granted having regard to the circumstances of individual applications.

<sup>3</sup> A higher cap will be considered on a case-by-case basis if the merits of an individual application so justify (e.g. substantial benefits to the industry at large, etc.).

industry will be invited to submit a detailed proposal for presentation to the Construction Industry Council (CIC).

17. In submitting an application, the applicant shall propose to undertake a certain form of benefit/experience sharing<sup>4</sup> with other industry stakeholders for the CIC's consideration, which will then be incorporated in the conditions of approval upon approval of the application. Other conditions of approval, e.g. submission of reports on the project at a regular interval, may also be imposed.

18. To encourage transfer, realisation or commercialisation of technologies to the industry for application and further development, the CITF encourages applicants to adopt **open, transparent and non-exhaustive rights** of use with other industry stakeholders with assignment and license. Where non-exclusive assignment or licensing is not practicable, exclusive licensing may be justified on exceptional grounds. Yet, the underlying principle for assignment or licensing fees should be charged on a reasonable and equitable basis.

*(iii) Industrialised Process – Robotic Welding*

19. Applicants can also apply up to \$800,000<sup>5</sup> (on per-company basis) for prefabricated components manufactured by off-site robotic welding in Hong Kong. The CITF shall only fund the processing fee but not the material costs or other incidental costs. Applied funding will be weighed against the reference price of the welding products provided by the supplier.

**(b) Building Information Modelling (BIM)**

20. The CITF supports eligible applicants to procure necessary BIM software and hardware for experiential use and/or adoption in local projects, and to provide BIM training for their staff, subject to a per-company cap of \$1.5 million, of which a sub-cap of \$1.2M is imposed on BIM adoption and experiential use to encourage applicants to undertake BIM training for its employees to boost up BIM manpower for the industry.

*(i) BIM Adoption and Experiential Use*

21. Subject to relevant caps, funding is provided to support procurement of BIM software and hardware on a 70% matching basis. Applicants shall submit their

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<sup>4</sup> Possible options of benefit/experience sharing include:

- (i) sharing or transfer of intellectual property (IP) rights with other industry stakeholders, e.g. solutions providers, training institutes, universities, R&D centers, etc.;
- (ii) allowing open, transparent and non-exhaustive rights of use of the funded technology; or
- (iii) other IP/benefit sharing arrangement as required by the CIC having regard to the merits of the individual case.

<sup>5</sup> The funding ceiling is independent of the HK\$6,000,000 funding ceiling for BIM and ACT.

applications with at least one construction project with genuine needs of BIM use. Applicants without an eligible project at the time of application can also apply the CITF for BIM experiential use, subject to a per-company cap of \$0.2M.

*(ii) BIM Training*

22. The CITF currently supports three modes of BIM training, namely (I) Classroom-bound Mode, (II) BIM Project-based Coaching and (III) BIM Viewer Collaborative Training.

(I) BIM Training – Classroom-bound Mode Training

Under the perpetual ceiling of \$15,000 per person, funding is provided to subsidise applicants to attend BIM training provided by external course providers on a reimbursement basis, subject to a cap of \$3,000 or 70% of the course fee per course, whichever is higher.

(II) BIM Training – BIM Project-based Coaching

Funding is provided to subsidise applicants to hire BIM professionals or consultants to provide project-based coaching on a 70% matching basis, up to a cap of \$200,000 per applicant.

Applicants shall submit their applications with at least one construction project with genuine needs of BIM use.

Applicants shall demonstrate the on-going engagement of the BIM professional/ training instructor during the project period, such as providing evidence on appropriate number of coaching hours and milestone attainment in the BIM coaching work supported by periodic payments throughout the project period, so as to demonstrate that the BIM professional/ training instructor is engaged for coaching the project team rather than carrying out the BIM work for the project direct.

(III) BIM Training – BIM Viewer Collaborative Training

Funding is provided to subsidise applicants to engage in-house BIM trainers<sup>6</sup> to provide BIM Viewer training for its employees on a 70% matching basis,

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<sup>6</sup> The BIM trainers shall have successfully completed the CIC-accredited BIM Manager and/or the CIC-accredited BIM Co-ordinator courses. For quality control, the CIC will carry out suitable assessment to ascertain the competence of the trainers, the training outcomes, capacity and training capability of the training venues, etc.

and at a maximum of \$8,000<sup>7</sup> for trainer and administration costs and \$5,000<sup>8</sup> for venue cost per session per class. To be eligible for the funding support, each session shall consist of at least 4 hours and enroll between 12 to 20 attendees.

### **(c) Modular Integrated Construction (MiC)**

23. To promote wider adoption of MiC in both public and private sector, various funding initiatives targeting different stages of MiC projects are provided under the CITF. For projects with tender invitation date on or after 1 July 2021, only buildings of six storeys or higher and of permanent nature are eligible for application. Applicants, unless specified otherwise, shall submit together with their application the consent from the Buildings Department (BD) to commence superstructure works of the MiC building or compliance with the consent requirements imposed by the BD for MiC modules production or equivalent documents as proof of the validity of the MiC project.

#### *(i) Support to Additional Costs of General Consultant*

To compensate the additional costs arising from the implementation of a project adopting MiC, lead consultant of the project (i.e. the applicant) is subsidised up to a total of \$4,000,000<sup>9</sup> or 15% of the consultancy fee<sup>10</sup> specified in the contract per project, whichever is the lesser. The applicant shall provide proof such as BD's consent to commence superstructure works of the MiC building and commencement of MiC modules installation on site for reimbursement purpose.

#### *(ii) Specialist MiC Consultant*

Funding is provided to subsidise applicant consultants to employ MiC Specialist Consultants on a 70% matching basis, subject to a cap of \$2.5 million per project.

#### *(iii) MiC Specific Construction Plant*

Funding is provided to subsidise applicant contractors to procure or hire MiC lifting plant, gear or equipment on a 70% matching basis, subject to a cap of \$2.5 million per project. For funding applications submitted on or after 1 September

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<sup>7</sup> A fixed lump-sum subsidy of HK\$4,000 shall apply for a 4-hour BIM Viewer Collaborative Training by in-house instructors adopting the CIC's BIM Viewer Teaching and Learning Kit for not less than 12 numbers of trainees including the administration fee.

<sup>8</sup> Applicants will not be eligible for venue subsidy if in-house venue is available / feasible.

<sup>9</sup> The additional subsidy to general consultant and the subsidy on engaging specialist MiC consultant are not mutually exclusive.

<sup>10</sup> Consultancy fee agreed and accepted between the project client and project consultant.

2021, applicant shall submit a safety audit report on logistics and lifting operation in the MiC project for final reimbursement purpose. Please refer to the CITF Portal for details on the scope of the safety audit.

*(iv) MiC Modules*

Funding is provided to subsidise applicant contractors to procure MiC modules on a 70% matching basis, subject to a cap of \$5 million per project.

*(v) Admission to Building Department's List of Pre-accepted Modular Integrated Construction (MiC) Systems*

Applicants, either Authorized Person (AP) and Registered Structural Engineer (RSE) firms, architectural or engineering consultant firms, will be subsidised 70% of costs incidental to the application for in-principle acceptance of MiC systems to the BD's Lists of Pre-accepted MiC Systems (the Lists), subject to a cap of \$1 million per project. The MiC systems, designed for construction of buildings of six storeys and above in Hong Kong, shall be manufactured by manufacturers not yet on the Lists<sup>11</sup>. The applicant shall provide the BD's letter of In-Principle Acceptance when submitting the funding application.

Three tiers of funding subsidy are implemented to cater for different MiC scale and complexity as follows:

- 1<sup>st</sup> tier: MiC systems for buildings of 6-10 storeys entitling to \$400,000;
- 2<sup>nd</sup> tier: MiC systems for buildings of 11-29 storeys entitling to \$600,000;
- 3<sup>rd</sup> tier: MiC systems for buildings of 30 storeys or above entitling to \$800,000;
- and
- An extra subsidy of \$200,000 to each tier for more complex MiC design (e.g. MiC modules also contribute to the overall stability of the building against wind load apart from cores/shear walls, etc.)

An eligible project for 23.1 (i) shall:

- involve a building with six storeys or more;
- occupy at least 60% of Gross Floor Area of EACH typical floor for MiC adoption;

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<sup>11</sup> The MiC Systems must have been admitted to the BD's List of Pre-accepted MiC Systems on or after 15 May 2020. The manufacturer of the MiC system under the CITF application shall be the manufacturer named in BD's letter of In-Principle Acceptance and a genuine MiC modules manufacturer with appropriate production capability to be substantiated by the applicant. BD's letter of In-Principle Acceptance shall be submitted with the CITF application.

- occupy at least 5,000m<sup>2</sup> of Gross Floor Area for MiC adoption; and
- have MiC modules installation commenced on site after 1 July 2020.

For 23.1 (ii), (iii) and (iv), a project with tender invitation date on or after 1 July 2021 shall be a permanent MiC building project with six storeys or more.

**Retrospective** approval for hire of specialist MiC consultant, procurement or rental of MiC specific construction plant and modules is allowed. Applicants can engage the specialist MiC consultant and the supplier of MiC lifting plant or modules before submitting the application but which shall be submitted within 12 months from committing the relevant expenditure.

#### **(d) Prefabricated Steel Rebar (STB)**

24. The procurement of prefabricated rebars produced by local steel prefabrication yards<sup>12</sup> is supported under the CITF. Applicants will be provided cash rebate of \$300 per tonne, subject to a cap of \$5 million per project. The weight of straight rebars without processing (cutting and/or bending) in each delivery shall not exceed 25% of the total weight.

#### **(2) Manpower Development**

25. To enhance the capability of practitioners to harness technology for the continuous improvement of our construction industry, the CITF will support existing practitioners and prospective built professionals to take part in courses and events on advanced construction technologies. Supportable programmes can be broadly categorised into four types - Local Collaborative Courses, International Conferences in Hong Kong, Non-local Enrichment Courses / Study Tours for Students and Non-local Training / Visits for Practitioners.

26. Where expenses on meal, accommodation and transportation are essential for conducting the intended programmes, applicants should take into account the practical needs and cost-effectiveness with regard to the nature, content and format of the visit/ courses. Procurement of air tickets, reservation of accommodation and arrangement of transport shall comply with the quotation requirements detailed in the Application Framework at Appendix I to this Guide. Insofar transportation by air is required, only return tickets in economy class between Hong Kong and the destination country/ city are reimbursable. Extra costs arising from upgrading the standard air passage

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<sup>12</sup> The prefabrication yards shall be admitted on the “**List of Approved Steel Reinforcing Bar Prefabrication Yards**” administered by the Civil Engineering and Development Department.

entitlement (such as travelling on business class) will have to be borne by individual applicants. Whereas air travel and accommodation for students will be fully reimbursable, practitioners participating in non-local training / visits will have to finance at least 50% of their own costs.

27. Students can choose to participate in one or multiple non-local enrichment courses/ study tours within the limit of their individual ceiling of \$100,000. Students may also make alternative arrangement for accommodation (such as sharing a twin room with another member of the delegation) in order to make savings on the provision for other non-local programmes. Only actual and reimbursable expenses incurred by a student will be deducted from his / her individual ceiling.

### **Eligibility**

28. An application must satisfy the following requirements unless an exception has been granted:

#### **(a) Applications on Technology Adoption**

29. Applicants for Technology Adoption must be:

- (i) levy-paying contractors which have paid levy for construction works under the Construction Industry Council Ordinance (Cap. 587) to the CIC in the 24 months preceding the time of application; or
- (ii) specialist trade contractors and subcontractors which are registered with the CIC and hold a valid registration at the time of application; or
- (iii) consultants on any one of the following lists maintained by Government and professional bodies:
  - The Engineering and Associated Consultants Selection Board;
  - The Architectural and Associated Consultants Selection Board;
  - The Band 3 Architectural Consultants and the list of Registered Practices maintained by the Hong Kong Institute of Architects;
  - The Band 3 Architectural Consultants maintained by the Association of Architectural Practices Ltd;
  - Member companies of the Association of Consultant Quantity Surveyors;
  - Member companies of the Hong Kong Institute of Surveyors;
  - Member companies of the Association of Consulting Engineers of Hong Kong;

- Member companies of the Association of Registered Engineering Consultants; or
- (iv) Other players, including material suppliers<sup>13</sup>, in the construction process may be considered on a case-by-case basis.

30. Applicants for Technology Adoption are required to have one or more awarded or on-going construction contract(s) to implement the adoption of the technology except for applications in relation to experiential use of BIM technology, BIM Training – Classroom-bound mode and BIM Viewer Collaborative Training.

### **(b) Applications on Manpower Development**

31. Applicants for Manpower Development must be:

- (i) local Hong Kong higher education institutions; or
- (ii) professional institutions (such as the Hong Kong Institute of Architects, the Hong Kong Institution of Engineers and the Hong Kong Institute of Surveyors); or
- (iii) trade associations;
- (iv) unions; or
- (v) Quasi-governmental or statutory organisations (for organizing local collaborative courses only).

32. Applications on Manpower Development must target at one or more of the following groups of beneficiaries:

- (i) full-time undergraduates, post-graduates, students of sub-degree programmes and academic staff in construction-related disciplines of local Hong Kong higher education institutions;
- (ii) construction professionals holding membership of professional class or above of construction-related professional bodies<sup>14</sup>;
- (iii) technicians and site supervisory personnel<sup>15</sup>; or
- (iv) Registered Skilled Workers holding a valid construction workers registration card issued under the Construction Workers Registration Ordinance (Cap. 583).

33. Where the activity under an application on Manpower Development is to be

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<sup>13</sup> Eligibility of material suppliers: a) the production process and processing facilities of the material supplier should be wholly or substantially locally-based; and b) the innovative or new technology adopted by the material supplier should be able to add value to the construction process conducive to improve productivity, build quality, safety and environmental performance for local construction projects through automation, industrialisation or digitisation technologies.

<sup>14</sup> Including The Hong Kong Institution of Engineers, The Hong Kong Institute of Architects, The Hong Kong Institute of Surveyors, and The Hong Kong Institute of Construction Managers, or an overseas professional body having reciprocal recognition agreement with an above-mentioned local professional body.

<sup>15</sup> Practitioners below professional class of the construction-related professional bodies but above workers level in general will fall within the definition of technicians and site supervisory personnel.

held outside Hong Kong, the participants must be Hong Kong permanent residents. This requirement is not applicable to the project to be held in Hong Kong and therefore expatriates may join. The target beneficiaries for the different Manpower Development categories are detailed in the Application Framework at Appendix I to this Guide.

34. Each application shall have only ONE Applicant. The applicant is required to list out in its application all other parties (if any) that it will collaborate with in carrying out the project and each party's respective role and contribution.

### **Application Procedures**

35. Applications shall be submitted through the CITF Application Portal via the CITF Website (<https://www.citf.cic.hk/>) where applicants are required to register an account. No application fee will be charged. The CITF Application Portal User Guide is at Appendix II to this Guide.

36. The application form is available in English and Chinese. The applicant may choose to complete the application form in either language. A sample is provided at Appendix III to this Guide.

37. The applicant may be requested to provide supplementary information (including documents) from time to time to facilitate the application vetting process. Where the applicant fails to provide any such information within reasonable time, its application will be declined without notice.

38. The application form and all documents submitted by applicants will be retained by the CIC for record and audit purposes and will not be returned to the applicant. Applicants should make copies of these documents for their own record.

### **Processing of Applications**

39. Applications will be processed on a first-come-first-served basis according to the time and date of receipt of a duly completed and valid application by the CIC.

40. Under normal circumstances, the CIC will complete the processing of a valid application within 60 calendar days from the date of receipt of the duly completed application accompanied by all necessary documentation. Applicants are reminded to ensure that their applications are submitted to the CIC together with supporting documents as detailed in this Guide to Application and Appendix I Application Framework.

## **Vetting and Assessment of Applications**

41. Upon assessing the application, the CIC may seek clarification or supplementary information (including documents) from the applicant. Where an applicant fails to provide any such information required within a reasonable time, its application will be declined without notice.

42. Applications submitted by applicants not fulfilling the eligibility will normally not be considered, unless the CIC considers that an exception to the Eligibility Requirements (whether in whole or in part and whether subject to conditions or otherwise) might be granted for such an application.

43. The applicant may be required to attend assessment panel meetings to present its application and answer questions from the CIC.

44. The CIC has the discretion to approve or reject an application for any project or any part thereof. Where an application is approved wholly or in part, the CIC shall at its absolute discretion determine the amount of funding to be granted.

## **Notification of Results**

45. The applicant will be informed of its application result as below:

- (i) If an application is rejected, the applicant will be notified in writing.
- (ii) If an application is approved, the applicant will receive a Notification of Approval together with any terms and conditions that may be imposed by the CIC.

## **Amendment and Withdrawal of Applications**

### **(a) Amendments and Project Variation**

46. An approved project is required to be carried out strictly in accordance with the Agreement. Any modification to the approved project, including but not limited to changes of commencement or completion dates, key project staff, key equipment, scope, methodology, deliverables or budget, will require prior written approval of the

CIC.

47. For any modification to the approved project, the successful applicant must update the details of the approved project on the CITF Portal within 14 calendar days upon the occurrence of such modification. The CIC reserves the right not to reimburse or make payment or otherwise compensate for the approved project where the successful applicant has failed to provide such update within the required timeframe.

48. The funding will not be increased in the event that the actual expenditure exceeds the original estimate. If the actual expenditure is less than the original estimate, the CITF Secretariat has the sole discretion to reduce the final Funding amount.

49. The successful applicant's failure to comply with the application proposal or the agreement will entitle the CIC to abstain from releasing the funding to the successful applicant.

#### **(b) Withdrawal of Application**

50. The applicant may withdraw its application by notifying the CIC in writing. All funding already disbursed to the applicant must be returned to the CIC with interest accrued within 30 calendar days from the date of such written notice. Interest shall accrue from the date of disbursement by the CIC of the funding up to the date of actual refund in full by the successful applicant, at the best lending rate quoted by the Hong Kong and Shanghai Banking Corporation. Such interest shall accrue on a daily basis and in a year of 365 days.

#### **Personal Data Collection**

51. All personal data provided by an applicant in connection with an application will be handled in accordance with relevant provisions of the Personal Data (Privacy) Ordinance (Cap. 486). Personal data provided in an application and its supporting documents will be used by the Development Bureau (DEVB), the CIC or its authorised agents/ persons solely and exclusively for:

- (i) The processing and authentication of applications, payment of funding support, and any refund and related administrative measures required thereof; and
- (ii) Statistical analysis relating to the operation and review of the CITF.

52. Personal data provided in an application will be kept in confidence.

However, such data may be disclosed to other departments of the HKSAR Government, or to third parties in Hong Kong or elsewhere, if such disclosure is authorised or required by law.

53. If necessary, the CIC will contact departments of the HKSAR Government and other relevant parties or organisations (such as the organisers/co-organisers/operators/service providers of the promotion activities/platforms, trustees of Mandatory Provident Funds, and proprietors/partners/shareholders/employees of the applicant) to verify the truth of personal data provided in an application.

### **Double Funding**

54. To avoid double funding/subsidy, a project or any part thereof which will receive or has received public money from any other Government scheme(s) will not be eligible to apply for the CITF.

55. The applicant will only be eligible to the CITF funding for costs net of other non-Government financial support (whether in the form of equity or loan financing, grant or sponsorship or any other form) which has been granted for the same project or any part thereof.

### **Timely and Truthful Declaration**

56. It is the responsibility of an applicant to complete an application form truthfully and to provide all supporting documents timely. Inaccurate and incomplete information may affect the processing of the application by the CIC. Any misrepresentation or omission of information may lead to rejection of the application and/or full recovery by the CIC of any funding support which has been awarded. It is an offence in law to obtain property/pecuniary advantage by deception or assisting persons to obtain property/pecuniary advantage. Any person who does so may be liable to legal proceedings.

57. The applicant is required to declare in its application whether it has applied or is applying for other Government funding for the project which is the subject of its application or any part thereof.

## **Prevention of Bribery**

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

59. The offer of an advantage to any person of DEVB and/or the CIC with a view to influencing the approval of an application is an offence under the POBO. Any such offer by the directors, employees, agents, consultants, contractors and other personnel who are in any way involved in the activity of the applicant enterprise will render the application null and void. DEVB and/or the CIC may also cancel the application approved and hold the applicant enterprise liable for any loss or damage, which the Government may sustain.

## **Right of Final Decision**

60. DEVB and/or the CIC reserve at all times the absolute right to determine whether an enterprise has met the eligibility criteria, whether an activity has met the funding conditions, whether a particular expenditure item is eligible for funding and whether an application has met the various conditions, requirements and criteria for funding support set out in this Guide to Application. Decisions granted by DEVB and/or the CIC are not subject to appeal.