
GUIDELINE FUNDING OF R&D PROJECTS IN HEALTH HUB TIROL

SA.61521(2021/X) – Call 2022

HEALTH HUB TIROL – FUNDING OF PRO- JECTS

1. Purpose

Funding is available for individual projects in the field of research, development and innovation related to the regional area of excellence – health. The activities should come into the categories of basic research, industrial research or experimental development.

The aim is to sustainably strengthen the business hub by developing expertise and new technologies, products and processes. The aid is intended to provide an incentive to implement risky ventures with a high development risk.

2. Funding recipients

Beneficiaries of funding shall be companies based in Tyrol that belong to the Health Hub Tirol and meet the requirements set out in Item 1.

3. Eligible costs

Only costs that are directly related to the project are eligible for funding. The principles of economy, efficiency and effectiveness must be observed. The relevant cost categories

- personnel costs
- travel expenses
- costs of instruments and equipment
- costs of commissioned research, knowledge, and patents acquired directly or under license from third parties in compliance with the arm's-length principle¹, and costs of consulting and equivalent services used exclusively for the project
- other operating costs including costs of materials, consumables and the like incurred directly in the course of the research activity
- indirect costs (overheads)

are specified in the Cost Guide document based on the applicable regulations

4. Project duration

The funded projects shall have a maximum duration of 3 years. The cost-neutral extension of the project duration is only possible in justified instances and is subject to the decision by the management of the Standortagentur Tirol.

5. Funding amount

The aid level per recipient shall be based on the aid rates including possible increases according to the Commission Regulation (EU) No. 651/2014 – also known as the General Block Exemption Regulation (GBER) – as amended.

¹ "Arm's-length principle": According to this principle, the terms of a legal transaction between the contracting parties may not differ from those that would be established in a legal transaction between independent undertakings, and there may be no anti-competitive agreements. If a legal transaction is concluded on the basis of an open, transparent and non-discriminatory procedure, it is deemed to comply with the arm's-length principle;

	Basic research	Industrial research	Experimental development
Large enterprises	100 %	50 %	25 %
Medium-sized enterprises		60 %	35 %
Small enterprises		70 %	45 %

The calculation and assessment is carried out on the basis of the work packages. The average total funding amount according to the application may not be exceeded when determining the eligible costs upon conclusion of the project.

Each project can be approved for a maximum of €600,000 in aid. The funding is spread across 3 funding years in 40%-40%-20% instalments.

6. Cumulation

In Article 4 of GBER, the EU Commission has set maximum amounts (known as notification thresholds) for eligible cost categories. Furthermore, maximum intensities for individual aid schemes (e.g. SME aid, R&D&I aid, etc.) are specified in separate articles. If several applications for funding are submitted for the same eligible costs (e.g. with different funding bodies), then according to Article 8 of the GBER (cumulation), the sum of the funding granted for these costs may not exceed the specified maximum amounts and intensities; this is irrespective of whether the additional funding applied for is de minimis or GBER aid.

In any case, obtaining multiple grants from public funds of the Province of Tyrol, the Federal Government or the European Union with regard to the same elements of a project is inadmissible and will result in the recovery of the entire funding amount.

7. Procedural provisions

Projects are awarded using a tender process. The applicant must use the forms provided by the funding agency.

The applications will be reviewed by Standortagentur Tirol, which may obtain third-party expert opinions for the assessment of the applications.

The projects shall be presented to an advisory board to be appointed by the Chair of the advisory board of Standortagentur Tirol GmbH. The advisory board will then recommend

eligible projects to the managing director for funding. The funding decision is in the hands of the Managing Director of Standortagentur Tirol GmbH.

8. Completion

An annual project progress report shall be submitted to the funding agency using the provided forms (content-related and financial annual report). The attainment of milestones to be defined in the funding agreement in conjunction with stop-or-go decisions is a prerequisite for the payment of further funding instalments.

9. EU legal basis

The directive is based on the GBER², see also Article 25(1)³

In addition to the relevant substantive articles of the General Block Exemption Regulation (GBER), the general provisions of Chapters I and II in particular are binding:

- a) Article 1(4)(a) of GBER, which stipulates that no aid may be granted to an undertaking which is subject to an outstanding recovery order following a previous European Commission decision declaring an aid illegal and incompatible with the internal market, with the exception of aid schemes aimed at addressing the consequences of certain natural disasters.
- b) Article 1(4)(c) of the GBER, which stipulates that no aid may be granted to “undertakings in difficulty”, with the exception of aid schemes aimed at addressing the consequences of certain natural disasters.
- c) Article 1(5)(a) of the GBER, which stipulates that the granting of aid may be made conditional upon the beneficiary having a permanent establishment or a branch of office in the Member State granting the aid at the time the aid is paid out.

² Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union (OJ L 187, 6/26/2014, p.1.), as amended by Commission Regulation (EU) 2017/1084 of 14 June 2017 (OJ L 156, 06/20/2017, p. 1), Commission Regulation (EU) 2020/972 of 2 July 2020 (OJ L 215/6, 07/07/2020) and Commission Regulation (EU) 2021/1237 of 23 July 2021 (OJ L 270, 07/29/2021, p. 1), in short General Block Exemption Regulation (GBER).

³ Aid for research and development projects, including research and development projects awarded a label of excellence under Horizon 2020 or Horizon Europe programmes, co-financed research and development projects and, where applicable, aid for co-financed Teaming actions shall be compatible with the internal market within the meaning of Article 107(3) of the Treaty on the Functioning of the European Union (TFEU) and shall be exempt from the notification requirement of Article 108(3) of the TFEU, provided that the conditions laid down in this Article and in Chapter I are fulfilled.

- d) Article 6 of the GBER, which stipulates that aid must have an incentive effect. Aid is considered to have an incentive effect if the beneficiary has submitted a written application for aid in the relevant Member State before starting work on a project or activity.
- e) Article 8 of the GBER, which stipulates that the cumulation provisions must be complied with in a binding manner.
- f) Article 9 of the GBER, which stipulates that publication and information obligations must be complied with, in particular for aid in the amount of € 500,000.00 or more.

10. Data protection

The applicants consent to the processing of their personal data by Standortagentur Tirol in accordance with the provisions of the Data Protection Act and the General Data Protection Regulation (GDPR). The applicants also agree that the personal data disclosed in the funding application as well as in the funding contract, which are used in connection with the initiation and processing of the contract, may be transmitted by the processing agency to the Office of the Tyrolean Provincial Government, the Audit Office, federal and European Union agencies and other agencies engaged in services for the same purpose.

Furthermore, the applicants acknowledge that, in addition to the information provided by themselves, the above-mentioned personal data may also be collected from and transmitted to federal bodies or other legal entities awarding or processing relevant grants, or other third parties, for the purpose of assessing the fulfilment of the funding requirements and reviewing the proof of proper appropriation of the funds..

11. Period of validity and place of jurisdiction

This Guideline shall enter into force on the working day following the day of its adoption and shall be applied until the last project funded on the basis of this Guideline has been duly completed. On the basis of this Guideline, decisions on eligible projects can be made until December 31, 2023.

After the end of this period, this Guideline shall only be applied to projects for which the funding agreement was concluded on the basis of this Guideline.

The place of jurisdiction for all legal disputes arising from the provision of aid shall be the court with subject-matter jurisdiction in Innsbruck. Standortagentur Tirol reserves the right to take legal action against the aid recipients also at its usual places of jurisdiction.