



Schweizerische Eidgenossenschaft

Confédération suisse

Confederazione Svizzera

Confederaziun svizra

Swiss Confederation

Innosuisse – Swiss Innovation Agency

The Swiss Innovation Agency's implementing provisions for funding innovation projects (Implementing provisions for innovation projects)

of 16 November 2017 (status as of 1 June 2019)

The Innovation Council of the Swiss Innovation Agency (Innosuisse),

based on Article 10 Section 1 letter f of the Federal Act of 17 June 2016¹ on the Swiss Innovation Agency (Innosuisse Act; SIAA),
sets out the following:

Chapter 1: Subject matter

Art. 1

These implementing provisions govern the funding of innovation projects in relation to:

- a. the requirements for submitting an application;
- b. the eligible costs;
- c. the procedure;
- d. derogations for projects carried out as part of the Federal Council's mandates for the execution of topic-specific funding programmes.

Chapter 2: Contributions to innovation projects

Art. 2 Independence of research and implementation partners

¹ The independence of the research and implementation partners in terms of finance and personnel within the meaning of Article 3 Section 4 of the Ordinance of the Swiss Innovation Agency of 20 September 2017² on its funding and other support measures (Innosuisse Funding Ordinance) is ensured if the natural persons involved in the project on the part of a research partner:

- a. do not simultaneously work for an implementation partner. A consulting activity in the strictest sense of the term, agreed in writing and with a time limitation, is an exception;
- b. have no financial interests in the commercial activity of an implementation partner and do not financially support an implementation partner for other reasons.

² Holding equity securities, granting loans and making donations are also considered interests within the meaning of Section 1 letter b. However, holding equity securities or financial investments in companies without the possibility of significantly influencing their commercial activity is an exception.

Art. 3 Non-commercial research centres outside the higher education sector

Non-commercial research centres outside the higher education sector within the meaning of Article 5 of the Federal Act of 14 December 2012³ on the Promotion of Research and Innovation (RIPA) are allowed to submit applications as research partners if:

- a. it is clear from their statutes that their aim is to conduct research activities;
- b. their statutes prohibit funding bodies or owners from gaining pecuniary advantages from the research activities;
- c. they can demonstrate through their research services already provided that they compete with higher education research centres in terms of level and quality of the research and they have research staff with the requirements needed to lead and implement science-based innovation projects.

¹ SR 420.2

² SR 420.231

³ SR 420.1

Art. 4 Form and content of the application

¹ The application must be submitted to Innosuisse via the online application using the form provided. Upon request, Innosuisse provides applicants with a form that they can send by post or e-mail if there is a plausible explanation as to why a submission via the online application is not possible.

² The application must contain all information necessary for technical, scientific and economic assessment of the right to and amount of funding. The application must in particular contain the following:

- a. the information necessary to assess the conditions that applicants must meet in accordance with Article 3 of the Innosuisse Funding Ordinance⁴ and Articles 2 and 3 of these implementing provisions;
- b. a description of the project containing information on the conditions for funding according to Article 19 RIPA; Article 29 f. of the Research and Innovation Promotion Ordinance of 29 November 2013⁵ (RIPO) and the criteria according to Article 4 of the Innosuisse Funding Ordinance;
- c. a project budget containing the project contribution requested from Innosuisse and the contribution of the implementation partners;
- d. the name of the research partner, who fulfils the obligations set out in Article 9 of the Innosuisse Funding Ordinance, provided that several research partners are involved in the project.

³ The application can be submitted in German, French, Italian or English.

Art. 5 Maximum amount for eligible personnel costs

¹ For the staff functions below, the following maximum amount applies for eligible gross annual salaries:

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| a. project manager and their deputy;
experienced scientist: | CHF 220 500; |
| b. scientific officer: | CHF 126 000; |
| c. specialist assistant: | CHF 113 400; |
| d. doctoral student and auxiliary: | CHF 85 100. |

² For the functions below, the maximum amounts according to the hourly rate specified in Section 1 correspond to a 2100th of the gross annual salary and a supplement of 13.5 percent for holiday pay and public holidays, amounting to:

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| a. project manager and their deputy;
experienced scientist: | CHF 119; |
| b. scientific officer: | CHF 68; |
| c. specialist assistant: | CHF 61; |
| d. doctoral student and auxiliary: | CHF 46. |

Art. 6⁶ Declaration and calculation of eligible personnel costs

¹ Research centres submitting applications for contributions to innovation projects must provide Innosuisse with their average notional hourly rates for the staff functions listed in Article 5 no later than when they submit their first application after these implementing provisions come into force. This information must be confirmed by the research centre's finance department and the calculation method must be clear to Innosuisse. Research centres which still need to be reviewed to determine whether they may be considered non-commercial research centres outside the higher education sector, under Article 5 RIPA⁷, are exempt from this obligation until an affirmative decision concerning an application has been made. They are to base their application on the maximum rates in accordance with Article 5 Section 2.

² If a research centre submitting applications for contributions to innovation projects provides evidence of the gross salaries actually paid on invoicing for at least one project, under Section 4 Letter b, from 2019 it must clearly specify to Innosuisse annually by 30 June in an updated form the notional hourly rates of the staff categories it has defined, including the method for calculating them. This information must be attested by an external body in possession of a valid certificate, or by the auditing body of the research centre's managing authority, if Innosuisse approved contributions to the research centre amounting to more than CHF 300,000 in the previous year. Otherwise, providing confirmation from the research centre's finance department is sufficient.

³ The notional hourly rates provided as per Sections 1 and 2 above may be higher than the hourly rates calculated according to Article 5 Section 2, provided that the standard calculation method used by the applicants' research centre to calculate gross annual salaries does not result in a figure which exceeds the maximum amount identified in Article 5 Section 1. Each staff category defined by the research centres must be clearly assigned to a staff function under Article 5.

⁴ After an application has been approved, the research partners which submitted the application shall specify which one of the following methods they will use to provide evidence of the gross salaries actually paid on invoicing:

- a. based on payroll statements relating to the project team members, evidence of their hours worked and their level of employment in the innovation project;
- b. based on a list of the hours worked by the project team members multiplied by the applicable notional hourly rates for each project team member specified in accordance with Section 2.

⁵ Invoicing and settlement evidence of the contributions actually paid by the employer shall be based on the disclosure of either:

⁴ SR 420.231

⁵ SR 420.11

⁶ Amended by No I of the Implementing provisions for innovation projects of 20 June 2018, in force since 1 July 2011.

⁷ SR 420.1

- a. evidence of the contributions actually paid; or
- b. a list of the hours worked multiplied by the applicable contribution rates for the project team members.

Art. 7 Eligible material costs

¹ Only costs that are actually incurred and are absolutely necessary for the proper execution of the innovation project are taken into account. Costs deemed necessary are only those that are reasonable in relation to the personnel costs incurred and the result of the innovation project.

² The costs of acquiring or using research infrastructure that is not part of the basic equipment may in particular be taken into account, subject to Section 4, letter b. Basic equipment includes apparatus, materials and other fittings that are part of the standard equipment of a research centre with a comparable research purpose.

³ The costs of using research infrastructure that is not exclusively used for implementing the innovation project may be charged to the project in accordance with the applicable degree of use. The degree of use must be clearly stated.

⁴ The costs of the following in particular are not taken into account:

- a. publications of research results;
- b. the use of research infrastructure acquired by third-party funds explicitly provided for this purpose;
- c. travels within Switzerland.

⁵ For absolutely necessary travels abroad, the provisions of the Ordinance of the FDF of 6 December 2001⁸ on the Personnel of the Swiss Confederation shall apply correspondingly.

Art. 7a⁹ Contribution of the implementation partners to the project costs

¹ The notional hourly rates of a research partner which meets the obligations set out in Article 9 of the Innosuisse Funding Ordinance¹⁰ shall apply to the calculation of the implementation partners' personnel expenses which may count as an in-kind contribution.

² The contribution of the implementation partners to the project costs shall be calculated based on Innosuisse's expected contribution as specified in the Funding Agreement (Art. 9 Section 3 Letter a^{bis}).

Art. 8 Innosuisse's assessment of and decision on the application

¹ If an assessment of an application reveals that the approval conditions for an assessment of the contents of the application, particularly with regard to the submitting person or to formalities, have not been met, Innosuisse shall issue a contestable non-consideration decision.

² Innosuisse assesses applications that fulfil the approval conditions for an assessment of the contents of the application on the basis of the criteria of Article 19 RIPA¹¹, Article 29 f. RIPO¹² and Article 4 of the Innosuisse Funding Ordinance¹³ and quantifies its assessment by awarding points.

³ ...¹⁴

⁴ It shall approve the applications that fulfil the funding requirements, that receive the best assessment in comparison to the other applications pending decision and that can be funded within the available budget.¹⁵

⁵ Innosuisse rejects applications that are not approved with a contestable decision.

Art. 9 Funding Agreement and start of implementation

¹ If Innosuisse approves a funding application in whole or in part, it concludes a Funding Agreement with research partners and implementation partners.

² Innosuisse shall inform applicants of any preparatory work required before the conclusion of the Funding Agreement. Innosuisse shall set the term for this preparatory work as up to a maximum of three months. This term may be extended for a reasonable period of time in justified cases. A Funding Agreement shall not be concluded if the preparatory work is not done in time.¹⁶

³ The Funding Agreement governs the following in particular:

- a. the subject of the project funding;¹⁷
- a^{bis} the expected contribution amount, made up of the personnel expenses calculated on the basis of the notional hourly rates and the estimated number of hours of work, the employer contributions, the material costs and the overhead contribution;¹⁸
- a^{ter} the cost ceiling, made up of the maximum personnel expenses as calculated on the basis of the maximum amounts identified in Article 5 Section 2 and the estimated number of hours of work, the employer contributions, the material costs and the overhead contribution;¹⁹

⁸ SR 172.220.111.31

⁹ Amended by No I of the Implementing provisions for innovation projects of 20 June 2018, in force since 1 July 2011.

¹⁰ SR 420.231

¹¹ SR 420.1

¹² SR 420.11

¹³ SR 420.231

¹⁴ Repealed by No I of the Implementing provisions for innovation projects of 20 June 2018, with effect from 1 July 2018.

¹⁵ Amended by No I of the Implementing provisions for innovation projects of 20 June 2018, in force since 1 July 2011.

¹⁶ Amended by No I of the Implementing provisions for innovation projects of 20 June 2018, in force since 1 July 2011.

¹⁷ Amended by No I of the Implementing provisions for innovation projects of 20 June 2018, in force since 1 July 2011.

¹⁸ Amended by No I of the Implementing provisions for innovation projects of 20 June 2018, in force since 1 July 2011.

¹⁹ Amended by No I of the Implementing provisions for innovation projects of 20 June 2018, in force since 1 July 2011.

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- b. the conditions, the amount and the deadlines for the partial payments;
 - c. the project implementation and duration;
 - d. the reports to be submitted to Innosuisse;
 - e. the participation of the implementation partner in the project;
 - f. any other conditions and requirements;
 - g. other rights and obligations of the contracting parties;
 - h. the termination of the contractual relationship.

⁴ The implementation of the project may only begin when the agreement enters into force and must have started within three months of this agreement taking legal effect. A deferred start is possible in justified cases and with the approval of Innosuisse.

Art. 10 Payment of the contributions

¹ Innosuisse's contributions shall be paid directly to the research partners. If several research partners are involved in the project, the payment shall be made to the grand administration office in accordance with Article 9 of the Innosuisse Funding Ordinance²⁰.

² The contributions will normally be made in instalments, whereby no more than 80 percent of the maximum amount is paid before the definitive amount is determined.

Art. 11 Project changes and additional costs

¹ Significant project changes, in particular changes to project partners, the project plan, the aims of the project and project team members who cannot be replaced at short notice due to their knowledge (key people) may only be made with the prior consent of Innosuisse.²¹

² Innosuisse may terminate the contractual relationship if significant changes are implemented without Innosuisse's consent and mean that the conditions for funding are no longer fulfilled.

^{2bis} Innosuisse may compensate additional personnel expenses which exceed the expected contribution specified in the Funding Agreement without an additional application and without amending the Funding Agreement, provided the specified cost ceiling is not exceeded and the higher costs are incurred due to:²²

- a. measures to adjust for inflation;
- b. reasonable salary increases;
- c. changes to personnel with the same staff function;
- d. minor adjustments to the allocation of the estimated number of hours of work to the various staff functions;
- e. necessary employer contribution increases; or
- f. changes to key people approved by Innosuisse.

³ In exceptional cases, Innosuisse may allow additional costs which exceed the expected contribution specified in the Funding Agreement as part of an additional application, provided they are incurred due to approved project changes or were unforeseeable costs for which the project partners were not responsible. The Funding Agreement shall then be amended accordingly.²³

Art. 12 Interim reports and progress monitoring

¹ The research partner receiving the contributions submits to Innosuisse progress reports for the project in accordance with its guidelines. The research partner will ensure that the reports are agreed with the other project partners.

² Innosuisse can schedule regular project progress evaluations and can terminate the grant relationship if it seems unlikely that the objectives of the project can be achieved.

Art. 13 Final report and contribution payments

¹ A final report describing the content and finances of the project with supporting documents is to be submitted to Innosuisse in accordance with its guidelines no later than two months after the end of the project.

² Innosuisse assesses the report and uses it as a basis for determining the definitive contribution amount and final payment, or, if contributions have already been paid in excess of the definitive amount, the reclamation. The contracting parties shall communicate any objections to the decision to Innosuisse within 30 days. In this case, Innosuisse shall assess the complaint and make amendments to the definitive amount if the complaints are justified.

Art. 14 Funding duration for topic-specific funding programmes

By way of derogation from Article 13 Section 3 of the Innosuisse Funding Ordinance²⁴, Innosuisse can support projects without implementation partners from action areas from the topic-specific funding programme for energy research for a maximum of 36 months.

²⁰ SR 420.231

²¹ Amended by No I of the Implementing provisions for innovation projects of 20 June 2018, in force since 1 July 2011.

²² Amended by No I of the Implementing provisions for innovation projects of 20 June 2018, in force since 1 July 2011.

²³ Amended by No I of the Implementing provisions for innovation projects of 20 June 2018, in force since 1 July 2011.

²⁴ SR 420.231

Chapter 3: Preliminary Study Vouchers (Innovation Cheques)

Art. 15 Applicant requirements

¹ Businesses with fewer than 250 full-time equivalent employees are considered to be small or medium-sized businesses in the sense of Article 15 of the Innosuisse Funding Ordinance²⁵. For businesses that form part of a group of businesses, the number of full-time equivalent employees of the whole group is decisive.

² A Swiss company identification number is considered evidence of the company's headquarters in Switzerland.

Art. 16 Form and content of the application

¹ The application must be submitted to Innosuisse via the online application using the form provided. Upon request, Innosuisse provides applicants with a form that they can send by post or e-mail if there is a plausible explanation as to why a submission via the online application is not possible.²⁶

² It must contain all information necessary for technical, scientific and economic assessment of the right to the contribution. The application must in particular contain:

- a. a description of the innovation project with information on the criteria referred to in Article 16 of the Innosuisse Funding Ordinance²⁷;
- b. the name of the research partner;
- c. the project budget being applied for.²⁸

³ The application can be submitted in German, French, Italian or English.²⁹

Art. 17 Eligible costs

The costs to be taken into account by the research partner, with whom the company redeems the voucher, shall be based on Article 5 of the Innosuisse Funding Ordinance³⁰ and Articles 5-7 of these implementing provisions and must not exceed a maximum of CHF 15 000.

Art. 18 Procedure

¹ Innosuisse shall decide on the application in the form of contestable decisions.

² If Innosuisse approves the application, its decision shall in particular determine the following:

- a. the subject and maximum amount of the voucher;
- b. the company's rights and obligations;
- c. the deadline for redeeming the credit.

³ The company governs the legal relationship with the research partner.

⁴ After the support service has been provided, the company shall provide a statement on the list of the eligible costs of the research partner and release them for payment. The research partner can then submit the list of eligible costs directly to Innosuisse for payment of the voucher. Innosuisse assesses the submission and pays the research partner on the basis of the eligible costs.

⁵ After the defined service has been provided, the company and the research partner shall submit a joint final report on the preliminary study.³¹

²⁵ SR 420.231

²⁶ Amended by No I of the Implementing provisions for innovation projects of 20 May 2019, in force since 1 June 2019.

²⁷ SR 420.231

²⁸ Amended by No I of the Implementing provisions for innovation projects of 20 May 2019, in force since 1 June 2019.

²⁹ Amended by No I of the Implementing provisions for innovation projects of 20 May 2019, in force since 1 June 2019.

³⁰ SR 420.231

³¹ Amended by No I of the Implementing provisions for innovation projects of 20 May 2019, in force since 1 June 2019.

Chapter 4: Entry into force

Art. 19

These provisions enter into force on 1 January 2018.

Bern, 16 November 2017

SWISS INNOVATION AGENCY (INNOSUISSE)

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BERNHARD ESCHERMANN

(Chairman)

.....

ANNALISE EGGIMANN

(Director)