



NWO Regulation on Granting

Version 1 December 2015

N.B.: The regulations in the document 'NWO Regulation on Granting, version December 2015' only apply to research that is based on NWO Calls for proposals published till 30th April 2017. See <http://www.nwo.nl/regulation-on-granting> for valid Grant Rules.

This document is a translation of the Dutch text entitled 'NWO Regeling Subsidies'. In the event of any difference of opinion as to the interpretation of the content, the original Dutch version will prevail.

Contents

1	Application procedure	5
1.1	Who can apply?	5
1.2	What can be applied for?	7
1.3	How can an application be made?	8
2	Assessment and Funding Allocation Procedure	9
2.1	Principles	9
2.2	Assessment and funding allocation decision	9
3	Current Research	15
3.1	Start of project	15
3.2	Progress of project	15
3.3	Completion of project	15
4	NWO's General Provisions on Granting	16
4.1	General	16
4.2	Size of the grant	17
4.3	Project management	18
4.4	Settlement of grants	19
4.5	Publications and other research results	20
4.6	Exploitation rights and utilisation	21
5	Definitions	22

NWO Regulation on Granting

Who may submit a grant application, what can be applied for and how? The answers to these questions can be found in the Application Procedure of the NWO Regulation on Granting. This concerns the standard NWO-wide conditions for the submission of grant applications. More specific rules and conditions are given in the relevant grant brochures.

If an application is honoured, the grant is awarded under the General Provisions on Granting. In addition, supplementary provisions may be stipulated in the grant award letter.

The assessment procedure is described in the Assessment and Funding Allocation Procedure. Explanations of the terms used can be found in the Definitions.

These three regulations:

- Application Procedure
- Assessment and Funding Allocation Procedure
- General Provisions on Granting;

supplemented by the

- Definitions

apply to all the NWO funding instruments of all sections of NWO, including those that are partly funded by NWO and partly by external financiers. The aforementioned regulations together form the NWO Regulation on Granting which, from a legal perspective, has the character of rules ensuing from policy.

The NWO Regulation on Granting elaborates upon the legislation concerning grants. The General Administrative Law Act, in particular, contains quite an extensive regulation on 'Grants' and 'Grant decisions', albeit in abstract form. In relation to this Act, the NWO Regulation on Granting forms a concrete grants regulation within the context of this Act.

Exceptions to the scope of application of the NWO Regulation on Granting are:

- a. Small grants: grants that do not exceed 50,000 euros are considered a general exception to the scope of application.
- b. Funding instruments managed by NWO but that are partially or completely funded by another party, can remain outside the scope of this Regulation if that is agreed with the external granting body and the rules that do apply are included in the grant brochure instead.

The NWO Regulation on Granting applies to all sections of NWO; this includes the NWO temporary taskforces and the legal bodies mandated by NWO to award grants, namely WOTRO Science for Global Development, NCF, Technology Foundation STW and FOM Foundation.

For ZonMw, a separate regulation on granting applies that is set up and executed by ZonMw for funding instruments within the Medical Sciences division.

Besides these general rules, additional specific rules may apply per funding instrument or funding round. These are described in the relevant programme brochure or, where more appropriate, are sent with the grant award letter. The administrative body that publishes the specific regulation or brochure bears responsibility for ensuring that these specific rules fit within the framework of the NWO Regulation on Granting. The NWO Regulation on Granting refers at several

points to specific regulations such as the Agreement on the Payment of Costs for Scientific Research and to the Code of Conduct on Conflicts of Interest.

1 Application procedure

1.1 Who can apply?

1.1.1 Standard eligibility

The submission of grant proposals is open to researchers from the following knowledge institutions:

- a. Dutch universities
- b. NWO and KNAW institutes
- c. the Netherlands Cancer Institute
- d. the Max Planck Institute for Psycholinguistics in Nijmegen
- e. researchers from the Dutch-Belgian Beam Line at the ESRF in Grenoble
- f. NCB Naturalis¹
- g. Advanced Research Centre for NanoLithography (ARCNL)²

Official representatives from these institutions may also submit applications if this is explicitly stated in the brochure.

1.1.2 Extension of eligibility

A. By the decision-taking body

The aforementioned possibilities for submission can be extended for specific funding instruments in favour of other researchers and/or knowledge institutions as meant in Article 1.1 by means of a decision of the administrative body that will take the relevant grant allocation decisions.

Decisions to extend the possibilities for submission cannot be taken at a hierarchically lower level than that of the divisional board.

In the event of such a decision, further conditions for submission can be set. In principle, research funded by the NWO is carried out at a knowledge institution.

In the event that the decision to extend the possibilities for submission is in favour of certain organisations and, where applicable, their employees, the following minimum cumulative conditions apply:

- a. such an organisation is based in the Netherlands, unless
 - it is an international funding instrument wherein an NWO administrative body bears the responsibility for the application and assessment procedure, or
 - a cofinancier of an NWO funding instrument makes a significant contribution to the budget available for this instrument and an agreement has been reached between NWO and this financier about the types and/or percentage of foreign organisations that may submit applications;
- b. such an organisation has a public task, carries out independent research
- c. and is financed for at least 50% from public funds;
- d. such an organisation has no profit motive other than that for the purposes

¹ Decision of the Governing Board dated 31 October 2012

² Decision of the Governing Board dated 20 November 2013

- of further research,
- e. the researchers enjoy freedom of publication in the international academic literature.

B. By the Governing Board

The Governing Board can, at the request of an NWO administrative body or otherwise, decide to further extend the possibilities for submission for a specific funding instrument.

The opportunity to apply for a grant under any grant instrument administered by the temporary management body NRO (Netherlands Initiative for Education Research, which was instituted on 19 July 2012) can also be extended to researchers and representatives of non-university research institutions (not specified in Article 1.1.1), universities of applied sciences [*HBO institutions*] and other educational institutions that can conduct research at a comparable level.

The opportunity to apply for a grant under any grant instrument administered by the temporary management body SIA (Taskforce for Applied Research, which was instituted on 15 April 2013) can also be extended to researchers and representatives of universities of applied sciences.

Such additional openings must be mentioned in the brochure for the specific grant instrument.

1.1.3 Limitations of eligibility

In principle, submission takes place in response to open calls unless the administrative body concerned decides otherwise and announces this in the brochure or makes this known in another manner.

Furthermore, NWO administrative bodies reserve the right to impose limits on the type of applicants and their knowledge institutions and/or on the number of applications that may be submitted in any funding round (possibly in combination with applications in other funding rounds) within a given period of time. The period in which these limitations apply must - insofar as this is possible - be stated in the relevant brochure(s).

The NWO administrative body also reserves the right to determine how often the application in question, or an improved version thereof, may be submitted within a funding instrument as long as this limitation is included in the brochure. However, an applicant may not derive any rights from the assessment of the version of the application submitted in an earlier round.

1.1.4 Applicant's qualifications

The following requirements apply to all grant applicants:

- a. they must hold at least a master's degree or be qualified to a comparable level;
- b. they must continue to be involved in the research to which the grant proposal relates throughout the period for which the grant is requested.

In those cases where the applicant is not the person responsible for realising the research proposal, this person must also:

- c. hold a doctorate and/or be a professor.

If an applicant is not working at a university, this person must manifestly

- have sufficient experience in the research area concerned and in the supervision of research;
- d. supply a statement, if requested, from the knowledge institution concerned from which it is apparent that condition b. is satisfied.

The aforementioned requirements do not apply to applicants for a grant from NRO when the submission is made through representatives of non-university research institutions, universities of applied sciences or other educational institutions that conduct research at a comparable level.

The aforementioned requirements do not apply to applicants for a grant from NRPO-SIA when the submission is made through representatives of universities of applied sciences.

Requirements a. and b. do apply to applicants for a grant from NRO and NRPIO-SIA when the submission is made by researchers.

1.2 What can be applied for?

1.2.1 The context of the grant

Grants can be requested for the realisation of scientific research and the activities associated with such research as specified in the brochure. The starting point for this is that good employment practices are guaranteed by the institution where the research will be carried out.

1.2.2 Budget structure

Each application must be accompanied by a budget based on the activities to be realised, for which - insofar as it is applicable - a distinction is made between the following cost categories:

- a. personnel costs;
- b. material costs;
- c. where applicable, a bench fee attached to the personnel appointment(s).

1.2.3 Fundable costs

For a grant application the costs incurred are fundable as long as:

- a. they are research costs and other expenses directly associated with the aim described in the application and they fit within the objective described in the brochure;
- b. the research costs and other expenses are incurred after both the date on which the funding was allocated and the starting date of the project, unless the grant awarding administrative body explicitly decides otherwise due to exceptional circumstances associated with the (full or partial) external funding of a funding instrument;
- c. the research costs and other expenses are not being funded from other sources;
- d. when the grant is used to remunerate personnel costs for staff who do not fall under the NU or UMC collective labour agreements, NWO is of the opinion that the appointment decision concerning this staff justifies payment from public research funds.

The Agreement on the Payment of Costs for Scientific Research provides maximum

rates for the fundable costs. The amounts stated for these costs in the grant application, including the associated increments, may not exceed the standard amounts stated in the Agreement. The same applies where the Agreement is not followed, unless explicit permission to do otherwise has been obtained from the Governing Board. Additional detailed rules can be set for rates that do not fall under the Agreement on the Payment of Costs for Scientific Research.

1.3 How can an application be made?

1.3.1 The application system

Applications may only be submitted via the application system as stated in the brochure.

1.3.2 The appropriate language

The brochure states the language in which an application should be submitted.

2 Assessment and Funding Allocation Procedure

2.1 Principles

2.1.1 Principles underlying assessment and funding allocation

The assessment of applications is

1. non-discriminatory;
2. independent;
3. confidential;
4. efficient; and
5. transparent.

These principles form the basis for this Regulation on Granting. The principle of independent assessment implies that the provision of advice and the provision of the decisions on the allocation of funding are distinct tasks that are clearly separated from each other. The Code of Conduct on Conflicts of Interest explicitly describes how dual involvement with applications should be dealt with. With respect to confidentiality, an information policy is detailed in the NWO Regulations.

2.2 Assessment and funding allocation decision

2.2.1 The brochure

When a funding instrument is opened for the submission of applications, NWO publishes a brochure with information about the instrument. This brochure should contain at least the following information:

- who can apply,
- what can be applied for,
- the total or maximum budget,
- instructions for compiling an application,
- a description of the assessment procedure,
- the timeframe within which the assessment and funding allocation procedure will be completed,
- the selection criteria,
- administrative criteria such as the maximum number of pages the application may contain, structure of the budget, etc.,
- where applicable, the policy criteria used by the administrative body, as these might affect the final ranking of the applications.

If applicable, the brochure will also set out the minimum classification or score necessary to be eligible for funding.

2.2.2 Admissibility of the application

The office will assess the application for administrative completeness on the basis of the administrative and other criteria included in the brochure. If an application is found to be administratively incomplete, the applicant will be

given the opportunity to rectify any shortcoming so that the application can still be included in the assessment process.

The evaluation committee can conclude that the research proposal does not fit into the research area of the research programme.

In both cases NWO can decide to reject the application (Art. 4.5 of the General Administrative Law Act). Such a decision can be taken by a mandated board member or by the director of the divisional board on behalf of the administrative body.

2.2.3 Preproposal

The submission of a preproposal may be a requirement for the submission of a full grant application.

The following criteria apply to a preproposal:

1. the preproposal is announced in the brochure of the funding instrument;
2. the preproposal entails the submission of an outline proposal;
3. the outline proposal is evaluated according to the procedure described in the brochure;
4. the brochure indicates whether the assessment of the outline proposal will lead to a non-binding advice or to the issuing of a decision by the administrative body in question as to whether or not a full grant application can be submitted; and
5. without a preproposal, no full grant application can be submitted.

2.2.4 Preselection

If a large number of applications are received, relative to the number that can be awarded, an administrative body can decide to make a preselection from all (complete) applications submitted. This is only possible if the number of applications submitted is more than four times the maximum number of grants that can be awarded.

As a rule, if a preselection is executed, the assessment committee reviews all the grant applications against the selection criteria described in the brochure in an approximate way. The programme brochure can contain a more detailed description of how the criteria are weighted in the case of a preselection.

The assessment committee gives the applicant the opportunity to defend the proposal (submit a rebuttal) and then advises the administrative body. Based on this advice, the administrative body will reject those proposals that have less chance of being awarded.

If the volume of applications is so high that a preselection is not enough to reduce the number to be assessed to an acceptable level then additional measures may be taken. For example, in addition to - or even instead of - the preselection, a 'first come, first served' criterion can be implemented (so limiting the number of applications accepted) to determine which applications are eligible for further selection through involvement by referees.

2.2.5 The use of referees

In general, referees will be involved in the assessment of research proposals.

However, the special character of a particular funding instrument may prompt the administrative body to decide not to make use of referees. The administrative body must explain this decision in the brochure for the funding instrument.

If referees are involved in the assessment, the grant applications declared admissible will - in principle - be evaluated by at least two referees, each of whom will write an evaluation report about the grant application.

The administrative body responsible can decide to increase the minimum number of referees to be consulted for a particular funding instrument. This will then be stated in the brochure.

The minimum number of referees' reports can be deviated from under the following conditions:

1. a reasonable number of referees have been invited to evaluate;
2. the lack of referees' evaluations is sufficiently compensated for in the sense that the assessment committee concerned still has enough material available to be able to form an opinion about the applications to be assessed.

Referees' reports that are received before the deadline that applies for these reports are always included in the assessment of the application concerned unless they are obviously unsuitable as a basis for issuing an advice.

For each application dossier there is then a closing date for the inclusion of new reports. As long as this closing date has not been reached, and the dossier does not contain the requisite number of referees' reports, the deadline for referees' reports may be postponed insofar as the procedure allows this.

If no referees' reports become available, the administrative body concerned will decide which procedure will be followed.

Unless this possibility is excluded in the brochure, referees may be objected to in the following manner: when submitting their proposals to the office, applicants may state a maximum of three persons who they do not wish to act as referees. This safeguards the anonymity of non-referees (outside the office).

2.2.6 The rebuttal

The applicant is given the opportunity to respond to the referees' reports by means of a rebuttal. The brochure sets out the procedure for this. The rebuttal is added to the assessment documentation.

2.2.7 Interview or site visit

The aim of an interview or site visit, where this is part of the assessment procedure, will be set out in the brochure. An interview or site visit forms an important component of the assessment and can lead to a review of the order in which the applications are ultimately ranked.

The invitation for an interview or the announcement of a site visit will be sent in good time so that the applicant can prepare for this. The names of the members of the interview or site visit committee will be made known to the applicant in the invitation or notification, or at the very least one week before the event.

Following the interview or site visit, a report is compiled of any facts that arose during the interview or site visit that are relevant to the assessment of the application. This report is added to the application dossier.

2.2.8 Assessment Committee or Jury

Within a funding round, the administrative body under whose responsibility the funding round will be executed will appoint an advisory body in the form of an assessment committee or a jury to assess and compare the applications received. The composition and method of working of the assessment committee or jury will be determined in accordance with the rules drawn up by the administrative body for this purpose insofar as these rules do not conflict with the following provisions.

The task of the assessment committee or jury is to assess the applications submitted and the documents related to these applications as a coherent whole and on their own merits. The assessment takes place on the basis of the selection criteria stated in the brochure.

a. The assessment committee's method of working incorporates at least the following aspects:

1. The committee meets - preferably in person - to discuss the quality of the applications.
2. Before issuing an advice, the committee discusses any possible conflicts of interest and takes a decision about any such conflicts.
3. The committee comes to a final and absolute decision for each individual application on the basis of the proposal and the additional information obtained, and on the basis of the criteria described in the brochure.
4. The committee determines its ranking advice, including the underlying reasoning, and describes its method of working. The ranking of the proposals, or one of the proposals, may ultimately be established by means of an anonymous vote. In that case, no additional motivation concerning the assessment of the quality of the applications needs to be provided.

b. The jury's method of working incorporates at least the following aspects:

1. Independently of each other, the jury members determine the quality of the applications and the additional information obtained (including any rebuttal) and - using the criteria described in the brochure - they come to an final and absolute decision in respect of all the applications received;
2. The outcomes are compiled and evaluated by the office, which provides a score list that serves as the provisional ranking.

If the number of applications is too large to be handled by a single assessment committee or jury, the assessment and ranking can be delegated to subcommittees as long as a protocol is available at the start of the assessment procedure which states how the ranking will be determined.

During the assessment procedure the assessment committee or jury can draw upon new information or on its own opinion about any aspect of the proposal on which the referees have provided no opinion. In that case, feedback (in the form of an opportunity to defend the proposal) should be given to the applicant and the committee or jury should take the applicant's rebuttal into account when making its final assessment.

The ranking (classification) is determined at each point in the selection process when a number of applications are excluded from the further assessment process;

this procedure should produce, at the very least, a number of categories into which the applications eligible for selection can be classified.

2.2.9 Funding allocation decision

Funding allocation decisions are taken by an administrative body.

The administrative body takes a decision about the grant applications based on the advice from the assessment committee or jury, and any policy-related criteria announced beforehand in the brochure. The administrative body first verifies that the procedure has been conducted properly and then takes a decision. The administrative body may reject an application, award funding or allocate conditional funding.

A funding round can include various points at which decisions are taken about the applications under assessment; these decisions can therefore be issued earlier for some groups of applications than for others, but only if this possibility is stated in the brochure.

The brochure also gives information about the timeline and/or the time limits for decisions. If delays occur in the decision-making process, the administrative body will inform the applicants of this as soon as possible and certainly no later than the original date by which a decision should have been taken. Applicants will be informed about the reason for the delay and the latest date by which the funding allocation decision will now be taken.

The administrative body may only disregard the requested advice or parts thereof for the following reasons:

- a. policy-related considerations, insofar as this option is explicitly stated in the brochure, or
- b. a procedural error, or
- c. a manifest substantive inaccuracy or shortcoming.

In these cases, sound reasons must be given for deviating from the advice issued by the assessment committee.

The portion of the available budget to be allocated will also be established in the funding allocation decision. The only applications eligible for funding are those that have passed through the entire selection process and satisfy the selection criteria determined beforehand. Within the available budget, applications are normally either accepted or rejected in their entirety by NWO. The decision-taking body may, at its discretion and after due consideration, reduce the budget associated with a proposal or reject part of a research proposal for funding.

2.2.10 Announcement of the decision

The decision of the administrative body is announced in writing. If a grant has been awarded, the applicant receives a grant allocation decision; if not, a letter of rejection is sent.

A grant allocation decision contains the following elements:

- a. notice that the grant application and associated budget have been approved, although there may have been an adjustment to the budget or a rejection of some part of the research proposal.
- b. notice of the maximum value of the grant, itemised by cost category;

- maximum amounts may be set for each individual cost category and/or own contributions may be requested from the recipients of the grant;
- c. arrangements about the method of disbursement;
 - d. the following deadlines:
 1. the deadline before which the project must have started, to be calculated from the date on which the grant allocation decision was made;
 2. in addition, if the value of the grant does not exceed 50,000 euro:
 - i. the completion deadline for the project;
 - ii. the latest date on which the grant settlement decision will be officially taken;
 - e. the arrangements concerning progress reports and final report;
 - f. any other additional arrangements such as about the output to be delivered;
 - g. the 'General Provisions on Granting' of NWO and, where applicable, Particular and/or Division-specific grant provisions.

In addition, a Project Information Form (PIF) will be sent with the grant allocation decision.

Each decision about rejecting or awarding NWO funding will be supported by arguments - according to objective criteria - that are comprehensible to the applicant and will include an appeals clause. If any questions remain about how the procedure was executed or the relevant explanation, the applicant may contact the programme secretariat.

2.2.11 Appeals

Any party whose interest is directly affected by a decision can lodge an appeal in writing to the Governing Board of NWO within six weeks of the date of the decision letter. The Governing Board will take a decision on the appeal based on advice about the matter from NWO's Appeals Committee.

In the event that the Governing Board decides to reverse a contested decision, it will - in principle - immediately replace the contested decision with a new one. If the Governing Board requires further information from another administrative body (from the NWO division involved, for example) before it can take this new decision, that information will first have to be obtained. The appealing party will be informed of this without delay, together with the latest date by which the decision in response to the appeal letter will be taken.

3 Current Research

3.1 Start of project

Once the completed and signed Project Information Form (PIF) has been received, or as soon as there is evidence of acceptance of the grant by some other means, the project can start and the grant awarding administrative body can proceed to disburse the grant funds.

Here the following clauses apply:

- a. The grant allocated will be transferred, in accordance with the payment method that applies to this grant, to the account of the knowledge institution at which the project will be carried out. Any deviations from this procedure require the prior approval of the NWO director concerned. The knowledge institution concerned will make the funds received available to the project leader with due consideration of the approved grant budget attached to the grant allocation decision and, where applicable, the valid Agreement on the payment of costs.
- b. The institution's auditor will verify the legitimacy of the use of grant funds by means of auditing the annual accounts in accordance with the auditing protocol of the Ministry of Education, Culture and Science. This is without prejudice to NWO's powers to audit the accounts or to investigate whether the institution is complying with the requirements attached to the grant. The institution will cooperate with NWO in any way requested during any necessary site visits.
- c. The employer will inform NWO without delay in the event of incidents in the employer-employee relationship that could be detrimental to the research results, and the parties will make efforts, in consultation with the project leader, to reach a solution that is conducive to the furtherance of the research.
- d. In the event that neither the NU nor UMC collective labour agreements apply to the personnel appointed to the project, NWO will be informed of this without delay; NWO will receive a copy of the appointment decision(s) concerned.

3.2 Progress of project

Throughout the realisation of the project, NWO will monitor progress by requesting output data and, where desirable, progress or evaluation reports. Further information on this subject will be provided to the applicant together with the grant allocation decision. The general framework for requesting output data and interim progress and evaluation reports is described in NWO's 'General Provisions on Granting' (see next Chapter).

3.3 Completion of project

The project ends with the issuing of the grant settlement decision. This decision can be taken once Article 24 of the 'General Provisions on Granting' has been satisfied.

4 NWO's General Provisions on Granting

4.1 General

Publicity around allocation

1. NWO is free to post a notification about the grant on its website, together with a summary of the research proposal. When submitting the grant application the main applicant can give a reasoned argument against publication on NWO's website in the event that a grant is awarded.
2. NWO handles all applications and research reports submitted confidentially. However, it reserves the right to publish data and results from the research it has funded, with the exception of specific information that could lead to the exploitation of research data or research results.

Project leader and staff

3. The project leader is the point of contact and bears responsibility for the project.
 - a. If the main applicant of the research proposal is a researcher, this person is considered the project leader from the effective date of the grant allocation decision, with the possibility that - prior to the start of the funded project - a researcher other than the main applicant can explicitly be accepted by NWO as the project leader. This project leader is responsible for the research project funded by NWO and is NWO's point of contact for the project.
 - b. If the main applicant of the research proposal is a representative of a knowledge institution as defined in Article 1.1, the researcher appointed by this knowledge institution in the role of project leader will be NWO's point of contact for the research project.
 - c. If the representative of the knowledge institution acts as the main applicant on behalf of a consortium or group of knowledge institutions, this representative will be acknowledged by NWO as the official secretary of the consortium. The official secretary will appoint a project leader who will then be NWO's point of contact for the research project.
 - d. The provisions of b. and c. above do not alter the fact that the representative of the knowledge institution bears final responsibility for the use of the grant funds. The project leader must keep the representative of the knowledge institution informed about all relevant developments.
4. The staff to be appointed to the project must at least possess the qualifications regarded by NWO as the standard for the duties they are to perform.
5. Staff of projects funded by NWO can, in principle, fulfil a limited number of secondary tasks as long as such tasks do not detract from their project-related responsibilities. If the brochure sets a maximum percentage for secondary tasks, this maximum may not be exceeded.

Accountability

6. As long as the grant has not been settled, the administrative body can reduce or withdraw the grant awarded – where necessary,

retrospectively – (Art. 4.48 of the General Administrative Law Act) under the following circumstances:

- if the obligations arising from this decision have not been fulfilled or have not been fulfilled in good time, or
- if the funds have not been spendend, or
- if the funds are being used for a purpose other than that for which they were allocated or their use cannot be justified in another way, or
- if the information provided gives reason to do so.

If the conditions specifically stated for this purpose in the General Administrative Law Act (Art. 4.49 and 4.50 Awb) are satisfied, the administrative body can also withdraw or amend a decision to award or settle a grant.

7. The research must be carried out, reports must be submitted and results must be published in accordance with the national and international standards of ethical behaviour and integrity expected of those engaged in academic, scientific and/or technological research and with due regard for the substance of the memorandum on scientific integrity [*Notitie Wetenschappelijke Integriteit*] issued by the VSNU.
If there is any suspicion that the aforementioned standards are being violated in the context of research that has been partly or wholly funded by NWO, the project leader must inform NWO of this immediately and provide NWO with all documentation relevant to the matter.
8. Where the activities for which the grant is awarded may have adverse consequences for third parties -in the case of clinical research, for example - the project leader, or alternatively his employer, must take out adequate insurance against the risks of related claims and must indemnify NWO against any liability in this regard.
9. The project leader will make every effort and, where this may be expected, take all necessary precautions to ensure that the funded activities and/or the results generated by it do not or could not contribute to terrorist activities, the violation of human rights, or to activities which do not shun the use of illicit resources. In addition to this, the activities funded and/or the results generated by it may not be in conflict with any statutory provision or any code of conduct generally recognised and in use within the discipline concerned.

4.2 Size of the grant

10. Funds are allocated on the basis of the grant application approved by NWO which includes the associated approved budget. The project leader will carry out the research plan described in the proposal to the best of his knowledge and ability and in doing so will use the funds awarded as effectively as possible.
11. The only costs that are eligible for funding are those included in the grant allocation decision and/or the associated approved budget; all costs must be directly associated with the research being funded.
12. The amount allocated for, and the payment of both the personnel and material costs are set out in the grant allocation decision. Disbursement takes the form of advance payments. The first payment for the costs to be incurred is disbursed after NWO has approved the Project Information Form (PIF) signed by both the applicant and the knowledge institution. Division-specific grant provisions may only deviate from the provisions stated in this article if they do not detract from the starting point that good

employment practices are guaranteed by the institution where the research will be carried out.

- 13 The knowledge institution in whose facilities the research takes place becomes the owner of the materials and equipment purchased with the grant unless otherwise determined in the grant allocation decision. The grant allocation decision may contain special conditions for the remuneration of costs for the purchase of equipment, including the obligation to make such equipment available for use by third parties at NWO's request. Equipment should be purchased in accordance with the prevailing regulations concerning tendering.

4.3 Project management

14. The project leader and the knowledge institution are responsible for ensuring that the funds awarded are properly managed and that proper financial records are kept. Any agreements or contracts with third parties concerning the realisation of those activities for which the grant is awarded must be made in writing.
15. Prior permission is needed from NWO for each substantive deviation from the research proposal for which funding was awarded by NWO. The individual items included in the grant allocation decision and/or the approved budget are maximum amounts. Except where other arrangements have been made in advance (e.g. in the brochure or in the grant allocation decision), the transfer of amounts between the categories personnel and material requires permission from NWO.
16. As soon as the project leader, or alternatively the knowledge institution, has grounds to presume that the activities for which funding was allocated will not be completed (or not fully completed) before the completion date of the project, or that the provisions of the grant will not be fully satisfied by that date, the project leader, or alternatively the knowledge institution, must inform the grant awarding body thereof.
17. The project leader will inform NWO immediately if the research project to which the grant allocation decision relates, is or will be granted financial support from another source.
18. NWO reserves the right, if the information supplied gives reason for this, to adjust the frequency of the advance payments of the grant.
19. NWO can request an interim progress report for funded research, and in doing so adheres to the Instructions for Awarding Grants [*Regeling Rijkssubsidies*]. Irrespective of the size of the grant, an overview of research results can be requested each year.

A progress report can be requested once every two to three years for:

- i. projects awarded a grant amounting above 50,000 euros but amounting no more than 125,000 euros and projects that, in the case of a fulltime appointment, have a duration longer than 3 years, or
- ii. projects for which the value of the NWO grant is greater than 125,000 euros and for which the period during which the subsidised activities are carried out is longer than 12 months.

A maximum of one progress report per twelve-month period can be requested for:

- i. projects awarded a grant of more than 50,000 euros whereby:
 - the project is funded by or carried out together with external parties, or
 - knowledge valorisation plays a significant role and the period for

- carrying out the fundable activities is longer than 12 months.
20. The following criteria apply to progress and final reports about funded activities:
 - a. they must be submitted via the electronic system indicated by NWO and, insofar as it is required, be in the format appropriate for this;
 - b. they must be signed by the project leader. The knowledge institution signs the financial reports to show its approval, and signs the scientific reports to show that these have been read.
 21. Based on the progress reports it receives, NWO can issue further technical, scientific and/or financial instructions to the project leader.

4.4 Settlement of grants

22. Three categories are distinguished for the settlement of grants:
 - a. If a realistic budget is not submitted in advance (and the grant exceeds 50,000 euros) the project leader, or alternatively the knowledge institution, must demonstrate the correctness of the total value of the actual fundable costs within 13 weeks of the completion date of the project, inclusive of the own contribution made and any contributions received from third parties.
 - b. For grants up to and including 125,000 euros the project leader, or alternatively the knowledge institution, must demonstrate within 13 weeks of the project completion date that the activities for which funding was granted were actually carried out and that the obligations attached to the grant were satisfied.
 - c. Both a final substantive scientific report and a final financial report must be submitted within 13 weeks of the project completion date for grants exceeding 125,000 euros. These reports must be signed by the project leader and by the knowledge institution if one was involved. NWO provides guidelines in advance that set out how the various forms of evidence must be supplied or demonstrated.
23. The final financial report must align with the budget submitted to and approved by NWO. In all cases it must contain details of the number of project staff and the duration of their appointment, and an overview of the material costs to be reimbursed.

In principle, no final financial accounting needs to be given for any bench fee awarded.
24. NWO will take a decision on the final settlement of the grant within 13 weeks of receiving the final report. NWO can, however, postpone taking a grant settlement decision until a later date; notice of such postponement must include the reason(s) for that decision.

NWO is under no obligation to disburse any outstanding amount of the grant if the final report is not submitted on time or is incomplete. If NWO has still not been able to settle a grant due to the lack of a satisfactory final report within six months of the project completion date, NWO will regard this situation as being equivalent to the rejection of the final report. If the final report is rejected, NWO may decide to claim restitution of the funds already made available.

4.5 Publications and other research results

25. Research results that have been produced with the aid of NWO funds should be made accessible to the general public and for further research as far as and as soon as possible. With a view to expected exploitation rights on research results, the project leader, or alternatively the knowledge institution, can postpone the publication of research results for a maximum of nine months after these were obtained.
26. With a view to optimum dissemination, respectively application, of results from publicly funded research the project leader, or alternatively the knowledge institution, will ensure - prior to the realisation of the research - that where the research is entirely or partly conducted by persons who are not employed by the knowledge institution these persons waive in writing any claim to intellectual property rights that may derive from the research results.
27. Contributions made to the research in cash or in kind by third parties give those parties no rights to the use and/or application of the results, unless otherwise expressly agreed in a written agreement prior to the research being carried out and insofar as said agreement does not deviate from or violate any regulations applicable to state aid.
28. Irrespective of other publication options, the results of research funded by NWO should be made accessible via Open Access as soon as such results are published. 'Accessible via Open Access' should be taken to mean: freely accessible to everyone, with no embargo period, as set out in NWO's Open Access policy which is published on the NWO website. Copyrights may only be assigned to a third party insofar as this does not make it impossible to publish via Open Access.
29. In the case of databases, NWO and the knowledge institution where the research was carried out are together considered to be the 'producer of the database' as meant in the Act on Legal Protection of Databases.
30. By accepting a grant for research that results in copyrighted work and/or databases, the copyright holder or the producer of the database(s) respectively grants permission for the following:

To promote the transfer of knowledge from research results, NWO can impose further conditions on the copyrights and extraction rights relating to any databases that are created within the framework of the research. Databases with the associated explanation will be made available, in a manner to be indicated by NWO, for use in and for the purposes of further academic and scientific research. The data collected during a research project must therefore be stored and documented in an appropriate and accessible manner.
31. When the results from the funded research are published, the financial support received from NWO must be acknowledged, stating the project number.

In English, French, German, Italian and Spanish, NWO's name is translated as follows:

 - Netherlands Organisation for Scientific Research;
 - Organisation Néerlandaise pour la Recherche Scientifique;
 - Niederländische Organisation für wissenschaftliche Forschung;
 - Organizzazione nazionale olandese per la ricerca scientifica;
 - Organización neerlandesa de investigaciones científicas.

4.6 Exploitation rights and utilisation

32. Without prejudice to Article 25, NWO may claim ownership of research results that are eligible for exploitation, as long as the specific objectives of the funding instrument require this and the brochure states how the patent rights will be distributed in such cases and, where relevant, what the means of exploitation and the associated preconditions are.

In such a case, prior to the realisation of the research concerned, the concrete agreements will be recorded in a written implementation agreement (as meant in Article 4:36, para 1, of the General Administrative Law Act) under the grant allocation decision. These arrangements will be made between NWO and the organisations where the research will be carried out, except when the entire research project is carried out outside the Netherlands under the responsibility of a knowledge institution located in the country where the research takes place.

In the event that the entire research project is carried out in a country outside the Netherlands under the responsibility of a knowledge institution located in that country, this knowledge institution may then apply the patent legislation applicable in that country as long as this patent legislation, when compared to its Dutch counterpart, is not detrimental to the Dutch party or parties concerned and/or to the research results.

Such an agreement is usually drawn up on an individual basis. In this agreement, the parties concerned must make all necessary agreements about the relevant background knowledge needed to carry out the research and utilise its results; not all parties will have free access to such knowledge. In the case of a public-private partnership this agreement should also contain arrangements about the consequences of terminating the research project before its completion.

The project leader, or alternatively the knowledge institution, will ensure that employees or others who can claim exploitation rights on the research results transfer these rights to those who, according to the aforementioned provisions, are entitled to the research results.

33. The project leader, or alternatively the knowledge institution, will make every effort to ensure, both during and after the project, that the results are utilised in an appropriate and effective manner. Where relevant, the date until which the project leader, or alternatively the knowledge institution, can be held accountable for this can be stated in the grant settlement decision.

5 Definitions

This Regulation on Granting, the General Grant Regulations and the Assessment and Allocation Procedure are based on the following definitions:

<i>applicant</i>	The person or institution who submits the grant application to NWO.
<i>instructions for awarding grants</i>	Regulation of the Minister-President, Minister for General Affairs, of 15 December 2009, no. 3086451, concerning the establishment of Instructions for Awarding Grants [<i>aanwijzingen voor subsidieverstrekking</i>] (as published in the Government Gazette [<i>Staatscourant</i>] 2009, no. 20306).
<i>Agreement</i>	The Agreement on the Payment of Costs for Scientific Research [<i>Akkoord Bekostiging Wetenschappelijk Onderzoek</i>] reached between the grant-awarding bodies (NWO, ZonMw, charity funds) and grant recipients (VSNU, KNAW, NFU). The text of the Agreement can be found on the NWO website.
<i>Governing Board</i>	The Governing Board of NWO.
<i>Awb</i>	General Administrative Law Act [<i>Algemene wet bestuursrecht</i>].
<i>budget</i>	The overview, which forms part of the application submitted, of all costs directly related to the proposed activities, irrespective of the naming (such as 'budget' or 'spending plan') and/or the moment at which this overview was added to the project proposal (e.g.: on submission, or after funding allocation prior to the project starting date).
<i>bench fee</i>	A bench fee can be made available for some projects. This bench fee is intended for the person carrying out the project but is made available to the project leader. The person actually carrying out the project is therefore entitled to this fee. How the bench fee is to be spent should be discussed between the person carrying out the project and the project leader. Where a bench fee is applicable, this will be shown as a pre-printed category in the budget overview.
<i>assessment committee</i>	A committee appointed by the relevant administrative body and charged with providing the administrative body with advice about the applications submitted within a funding round.
<i>administrative body</i>	Administrative body as meant in Article 1.1 of the General Administrative Law Act, which is also part of the NWO organisation as defined in Article 1.2 of the NWO Regulation, or a body which - while not an administrative body itself - is mandated by an NWO administrative body to take decisions about applications.

<i>brochure</i>	Programme brochure or Call for Proposals for a funding instrument, which describes and explains the procedure for the application process. At the very least, the brochure contains the assessment criteria, including possible policy considerations and the conditions for the grant insofar as these deviate from this NWO Regulation on Granting.
<i>office</i>	The office of the NWO organisation as meant in Article 8 of the Act establishing the NWO [<i>NWO Instellingswet</i>]; the office is managed by the General Director of NWO.
<i>database</i>	A collection of data compiled in a structured manner, irrespective of the nature of that data, such as numbers, completed questionnaires, audiovisual material, body material, etc.
<i>completion date of the project</i>	The date by which the activities related to the grant allocation decision must have been carried out or, in the case of an early termination of the project, the date on which the project activities ceased.
<i>division</i>	A scientific domain covered by a divisional board.
<i>divisional board</i>	A board of directors as meant in Article 3.1 of the NWO Regulations.
<i>interview committee</i>	If an interview is part of the assessment procedure, it will be conducted by this committee. The members of the committee are drawn from the members of the assessment committee in question.
<i>jury</i>	An assessment committee in which each of the members gives an individual opinion without consulting with other members to reach a consensus.
<i>knowledge institution</i>	A public legal entity or foundation based in the Netherlands that: <ul style="list-style-type: none"> a. has the realisation of academic or scientific research and/or the management of academic or scientific knowledge as one of its main objectives, partly or also for the benefit of further academic or scientific research; b. receives part of its basic funding from public funds; c. has no profit motive other than that for the purposes of further research; d. allows its researchers freedom of publication in the international academic and scientific literature, and e. has access to a repository.
<i>secondary tasks</i>	Tasks in the domains of education, management and administration, which a knowledge institution can require its research staff to perform with a view to the further development of those researchers.
<i>NWO division</i>	Besides the divisions of NWO and its research organisations, each section of NWO for which a management body has been appointed as meant in Chapter 3a of the NWO Regulation.
<i>research organisation</i>	A legal entity, or an organisational unit operating within a legal entity with a mandate to this effect from the highest

	body within the legal entity.
<i>research results</i>	All inventions, outcomes, materials, methods, processes, products, programmes, software, findings or discoveries that are generated within a project.
<i>individual grant</i>	A grant aimed at a researcher who is both the applicant and the main person responsible for carrying out the research.
<i>PIF</i>	The Project Information Form that must be completed and signed by the project leader and the knowledge institution involved before the funded research activities may be started and the first grant payment can be made.
<i>project leader</i>	The person who bears final responsibility for the success of the research project funded by NWO. This is usually, but not necessarily, the main applicant for the project grant.
<i>project starting date</i>	The date on which the project activities are actually started; this date may not be earlier than the date on which the administrative body awarding the grant receives a fully completed and signed PIF.
<i>project researcher</i>	A researcher who carries out the project, whether solely or jointly.
<i>publication</i>	The disclosure of results by any means, with the exception of disclosure arising from patent applications on the results.
<i>referee</i>	An independent, external expert who is engaged to evaluate a single proposal due to his subject-specific expertise in the field of the proposal.
<i>repository</i>	A facility at a knowledge institution intended for the systematic storage of research results, with access facilities for further use.
<i>grant provisions</i>	Provisions issued with the grant allocation decision which the recipient of the grant must comply with. A distinction must be drawn between: <ul style="list-style-type: none"> - NWO's General Provisions on Granting, as given in this regulation; - particular grant provisions, and - division-specific grant provisions. Particular grant provisions are those attached to a specific NWO funding instrument which are therefore published in the brochure concerned. Division-specific grant provisions are applicable to all grant allocation decisions within a specific NWO division. These provisions are published on the website and in the brochures of the NWO division concerned.
<i>funding instrument</i>	An instrument arising from NWO's grant policy and set up as an entirety of rules through which a certain quantity of funding resources are made available to the research field concerned.
<i>funding round</i>	A funding round is a regulated process derived from and within a funding instrument. Each funding round begins with a Call for Proposals, contains a round-specific

	assessment procedure, and ends with a funding allocation decision being made by the administrative body concerned in respect of the applications submitted.
<i>grant settlement decision</i>	A decision in which, after approval of the final report(s), it is determined to what extent the funds allocated under the grant allocation decision should actually be disbursed to the grant recipient.
<i>grant allocation decision</i>	A decision by which, prior to the activities being carried out, a provisional maximum grant sum is awarded to the grant recipient, subject to the grant provisions issued with the decision.
<i>fully elaborated application</i>	An application that has been fully elaborated in terms of all aspects to be considered in the assessment.
<i>utilisation</i>	The sum of activities that have the aim of maximising the use and application of research results by third parties.
<i>preproposal</i>	An outline proposal that requires further elaboration before it can be submitted for evaluation to external experts in a subsequent phase of the assessment procedure.
<i>preselection</i>	A phase at the start of the assessment procedure in which fully elaborated applications are assessed according to the selection criteria described in the brochure but without the involvement of referees. The programme brochure can contain a more detailed description of how the criteria are weighted in the case of a preselection.

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