Introduction

NWO must ensure that all applicants and grant recipients are treated equally. NWO therefore applies a strict deadline for the submission of applications and has a fixed time frame for the application procedure in each funding round.

During the application procedure, applicants are asked to provide written input (for example, submit a rebuttal) and/or oral input (e.g. an interview or a site visit) before a specified deadline or within a specific time frame. Even after an application has been awarded, a grant recipient (the ‘project leader’) is required to provide input at fixed times (e.g. start forms, project progress reports and final financial accountability).\(^1\)

However, an applicant or project leader may be prevented from providing the required input at the requested time. In cases where this is caused by the birth of a child, NWO tries to accommodate the applicant’s absence to the greatest extent possible through its Compensation Scheme for Parental Leave.\(^2\) This compensation scheme sets out the conditions and circumstances under which an application may be eligible for different treatment as a result of parental leave.

These policy regulations, ‘NWO Force Majeure Extension Scheme’, describe how NWO deals with cases where, due to force majeure, an applicant or project leader is unable to provide the input requested by NWO before or within the established deadline.

1. Definitions

The following definitions apply in these policy regulations:

1.1 Applicant
   - the (natural) person acting as a main applicant as defined in the first paragraph of Article 1.2 of the NWO Grant Rules 2017, who
     a) submitted a grant application to NWO on which NWO has not yet made a formal decision, or
     b) intended to submit a grant application to NWO but failed to do so due to force majeure as defined in article 1.7 of these policy regulations.

1.2 Call for proposals
   - the scheme for a specific funding round published by NWO, as referred to in Article 2.1.2 of the NWO Grant Rules 2017. Also referred to as the ‘Brochure’.

1.3 Domain Board
   - the Board of one of the domains of NWO, as defined in articles 6.2 and 6.3 of the NWO Administrative Regulations 2017 [in Dutch: NWO Bestuursreglement 2017].

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\(^1\) The extent of the reporting and accountability obligations of the grant recipient depends on the amount of the grant awarded.  
\(^2\) NWO’s Compensation Scheme for Parental Leave was published in the Staatscourant on 22 February 2019 (publication no. 9314), and is also available on NWO’s website.
1.4 The opportunity to submit

NWO offers a maximum number of opportunities for a person to submit an application for a number of its Calls for proposals. The ‘opportunity to submit’ refers to one of these opportunities.

1.5 Input

an active contribution by the application/project leader, to be provided by the applicant/project leader before a time or within a period specified by NWO. The most common examples during the application procedure include the submission of an (amended) application, a rebuttal to referee reports, a written response to a preliminary assessment by the assessment committee and participation in an interview or sandpit. Examples of input after a grant has been awarded include the submission of documents required to start the project and the submission of progress and final reports. These policy regulations make a distinction between the provision of written input and the provision of oral input.

1.6 NWO

the Dutch Research Council. Under these policy regulations, NWO refers to the institution or official who is competent to represent NWO or to take the relevant decision on the grounds of the NWO Authorisation Procedure ['Bevoegdhedenregeling NWO'] currently in force.

1.7 Force Majeure

a situation in which the following cumulative conditions are met:

(i) The applicant/project leader is unable to provide input within the time frame set by NWO.

*Clarification:* In principle, for the purposes of this scheme, force majeure is only referred to when the applicant, as defined in Article 1.1 of this scheme, or the project leader, as defined in Article 1.8 of this scheme, is prevented from providing input.
If the input cannot be provided because a co-applicant or sub-project leader is impeded, then this will only fall within the scope of the above condition if his/her contribution to the input is significant and irreplaceable. This needs to be substantiated by the applicant/project leader.

(ii) It is impossible for the applicant/project leader to be represented by another person.

*Clarification:* This may be because the nature of the funding round precludes it (for example, because it concerns an application for a personal grant), or because it has proved impossible in practice for the applicant (for example, because of the short deadline). If the (proposed) project is carried out by a research group, NWO assumes that the absence of the applicant/project leader can be compensated by other members of the research group (not necessarily co-applicants). It is only if this proves impossible that condition (ii) will met.

(iii) The fact that the applicant/project leader is prevented from providing input cannot be attributed to him/her.

*Clarification:* This means that the reason preventing the applicant/project leader (for example, illness, death of a close relative or medical complications during pregnancy) from providing input is beyond the control of the applicant/project leader. As a rule, an impediment is indeed attributed to the applicant/project leader if he/she could have avoided the impediment, or would not have been adversely affected by the impediment, if he/she had started working on the input earlier.

1. Absence due to medical complications during pregnancy falls within the scope of this scheme. Absence due to maternity or childbirth leave falls within the scope of the NWO Compensation Scheme for Parental Leave.
NWO Force Majeure Extension Scheme

1.8 Project leader
the person with final responsibility for the content and funding of a project backed by NWO, as defined in the first paragraph of Article 1.2 of the NWO Grant Rules 2017.

1.9 Executive Board
the Executive Board of NWO, as defined in Article 2 of the NWO Administrative Regulations 2017.

1.10 Grant ceiling
the amount determined in a call for proposals that is the maximum budget available for the awarding of grants for a particular funding round, as defined in articles 4:22 and articles 4:25-4:28 of the Dutch General Administrative Law Act.

1.11 Pre-application
a concise application that must be submitted and assessed before it is possible to submit a full proposal, as defined in Article 2.2.2 of the NWO Grant Rules 2017. The call for proposals will determine whether a pre-application phase is necessary in a particular funding round.

1.12 Pre-selection
an overall initial assessment of all submitted applications, which may take place if, after the submission deadline, the total requested grant amount exceeds the grant ceiling by more than four times, as defined in Article 2.2.3 of the NWO Grant Rules 2017.

2. Scope

2.1 These policy regulations specify the circumstances and conditions under which, in order to promote fair and equal treatment, NWO may deviate from the deadlines and time frames established for applicants or project leaders for providing input.

2.2 The extension scheme applies to all calls for proposals published after this scheme enters into force and to all grants awarded by NWO after this scheme enters into force.

2.3 The extension scheme is observed by the Executive Board, the boards of the domains and coordination bodies of NWO, as well as the persons working under their responsibility.

2.4 The authority to make decisions within the framework of the extension scheme lies with the director of the coordinating domain or coordinating body. The programme coordinator of the funding instrument is given a sub-mandate to make decisions on requests for the use of the extension scheme, insofar as those requests relate to that funding instrument.

2.5 The Executive Board has decision-making powers in all cases not covered by the extension scheme.
NWO Force Majeure Extension Scheme

3. Input during the application procedure

Written input by applicant

3.1 In the event that an applicant is unable to provide the requested written input requested by NWO by the specified deadline or within the specified time frame as a result of force majeure, the applicant may choose one of the following alternatives:

(i) NWO will postpone the deadline for the applicant to provide the written input to a date when he/she will be able to provide the written input, provided that it is practicable for NWO to accommodate this in the relevant assessment procedure;4

(ii) he/she may refrain from providing written input and have the application assessed without the written input;

(iii) he/she can withdraw the application and submit a new application in the next funding round5 while retaining the opportunity to submit an application.

3.2 If an applicant chooses option (i), the original deadline for written input may be extended by up to three additional working days, provided the nature of the force majeure warrants it.

3.3 If an applicant chooses option (i) but is unexpectedly unable to submit written input, he/she may change his/her choice to option (ii) or (iii).

3.4 It is not possible to choose option (iii) if the applicant:

(i) initially opted for option (i) and the applicant has since submitted the written input;

(ii) initially chose option (i) or (ii) and the application has been rejected.

Oral input by applicant

3.5 In the event that an applicant is unable to provide the requested oral input due to force majeure, the applicant may choose one of the following alternatives:

(i) NWO will postpone the deadline for the applicant to provide the oral input to a date when he/she will be able to provide the oral input, provided that it is practicable for NWO to accommodate this in the relevant assessment procedure;6;

(ii) provide oral input at the originally requested time via digital video conference;

(iii) withdraw the application and submit a new application in the subsequent funding round7, while retaining the opportunity to submit an application.

3.6 Once an applicant has provided oral input under option (i) or (ii), option (iii) will no longer be available.

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4 Depending on when the original time frame for written input falls, when NWO has received all the referee reports, and the space available in the assessment procedure, it may be impossible in some cases, practically speaking, for NWO to move the deadline for written input to an earlier or later date.

5 If the application was submitted in the last round of the funding programme, and there is consequently no subsequent round, option (iii) cannot be used.

6 Interviews usually only take place on one or a few consecutive days, which means that it is not always possible to move the interview to an earlier or later date without causing a significant delay in the funding round. If the oral input is given as part of a sandpit, this option is almost always impossible given the interactive nature of a sandpit.

7 If the application was submitted in the last round of the funding programme, and there is consequently no subsequent round, option (iii) cannot be used.
Withdrawing the application whilst retaining the opportunity to apply

3.7 If an applicant chooses to withdraw the application and submit a new application in the subsequent funding round, the applicant may do so while retaining the opportunity to submit an application.

3.8 If a pre-application has been used in the application procedure, and NWO has taken a positive decision or given a positive non-binding recommendation on the applicant’s pre-application, then in the subsequent funding round the applicant may skip the pre-application phase and immediately submit a full application. This full application must concern the same subject as the original pre-application (as is already the case for pre-applications).

3.9 If a pre-selection was used in the application procedure and the application was selected for further consideration by NWO, the applicant may skip the pre-selection in the subsequent funding round. In this case, it is not possible to make substantive changes to the application.

4. Post-grant input

Written input by project leader

4.1 In the event that a project leader is unable to provide the written input requested by NWO before the specified deadline or within the time frame as a result of force majeure, NWO will grant the project leader one opportunity to do so within a reasonable period. This additional period will not begin before the force majeure situation has ended and will last from one to four weeks, depending on the circumstances of the case. NWO will inform the project leader of the exact duration of the additional period no later than at the start of the additional period.

4.2 If NWO has not received the written input by the end of the period of grace referred to in the first paragraph of this section, NWO is entitled to:
   a) suspend payment of the outstanding grant amount in accordance with Article 3.5.2, seventh paragraph of the NWO Grant Rules 2017;
   b) reduce the grant or set it at nil, in accordance with Article 3.5.2, first paragraph (b), of the NWO Grant Rules 2017;
   c) withdraw or disadvantageously modify the amount of the grant, in accordance with Article 3.5.2, eighth paragraph, of the NWO Grant Rules 2017.

Oral input by project leader

4.3 In the event that a project leader is unable to provide the oral input requested by NWO at the specified time as a result of force majeure, the project leader may choose one of the following alternatives:

   (i) NWO, in consultation with the project leader, will set a new time when the project leader can still submit the oral input, provided the circumstances of the case allow this;
   (ii) NWO will offer the project leader the opportunity to submit the input in writing within a reasonable period of time, provided the nature of the input does not preclude this.

4.4 Once the project leader has provided input under option (i) or (ii), the other option will no longer be available.
5. Request for using this scheme

5.1 An applicant/project leader must submit a reasoned request in writing to the NWO contact person in order to make use of this scheme. With this request, the applicant/project leader will provide all necessary information on the basis of which NWO can take a decision, including information demonstrating the existence of a force majeure situation as described in Article 1.7 of these policy regulations.

5.2 In case of doubt as to whether a request falls within the scope of this scheme, an applicant/project leader may be asked to demonstrate or provide further evidence that:
   a) he/she is actually prevented, and that the reason for this impediment is beyond his/her control;
   b) (in the case of a research group:) he/she cannot be replaced by another member of the research group;
   c) (if a co-applicant is prevented:) the contribution of the co-applicant is significant, and the co-applicant is irreplaceable.

5.3 NWO recognises that, due to the nature of a force majeure situation, it is usually not possible for the applicant/project leader to submit the request mentioned in the first paragraph prior to the force majeure situation. However, the extent to which NWO can provide a solution depends largely on how quickly NWO is informed of the force majeure situation. It is therefore important that the applicant/project leader contacts NWO as soon as possible, but in any case within one week after the force majeure situation has ended.

5.4 Information provided by the applicant/project leader to NWO under this scheme will be treated confidentially by NWO.

6. Language

The text of these policy regulations has been published in both Dutch and English. Only the Dutch version is deemed authentic. For legal interpretation the text of the Dutch version will be decisive.

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8 Your NWO contact person can be found in the Call for Proposals (during the application phase), in the Grant Award Decision or in the latest correspondence you have received from NWO (during the project phase).