

Agriculture, Fisheries and Conservation Department

Subventions for Biodiversity Education (2018)

Conditions of Subvention

1. General Requirement

1.1 For each programme for which funds have been approved, the subvented organisation has to comply with all the terms and conditions under the Conditions of Subvention.

2. Use of Funds

2.1 The allocated funds shall not be used as payments to individual members of the public as a financial reward for their participation in the activities associated with the programme.

3. Reimbursement of Funds

3.1 The fund will normally be reimbursed after completion of programme, subject to submission of a completion report together with a financial report for the programme endorsed by the Agriculture, Fisheries and Conservation Department (the Department), as appropriate.

Note for Applicants: The final payment will normally be released within three months upon receipt of ALL original invoices and receipts and ALL subsequent necessary clarification as requested by the Department.

3.2 All revenue received, irrespective of whether it has been declared in the proposal, must be defrayed against the actual expenditure before calculating the amount to be reimbursed as final payment.

3.3 Staff salary will not be considered for subvention. Subvented organisation is only allowed to provide instructor fee to instructors who are not paid staff of the subvented organisation. Subvented organisation should submit a record sheet with the date of activities, the instructor name and the amount received, signed by the recipient as evidence.

3.4 For reimbursement of meal allowance and travel allowance to on-site instructors, staff and volunteers, submission of individual invoices and/or receipts are not required. However, the subvented organisation should submit a record sheet with the date of events, the recipient name and the amount received, signed by the recipient

as evidence.

- 3.5 Subvented organisations are required to provide receipts and invoices including following elements: (1) Supplier name, (2) Total amount, (3) Item description (4) Date of purchase. For items purchased in foreign currency, the organisations must state the conversion rate of the date of transaction. The Department may request clarifications in case of doubt.
- 3.6 All calculations of reimbursed amount will be rounded up to 2 decimal places.
- 3.7 Any increase in cost arising from inflation or unforeseen requirements will be the responsibility of the subvented organisation. Request for additional funding after approval will not be considered.
- 3.8 Amount to be reimbursed for individual items (except staff related expenses) should not exceed the approved amount for that item by up to 10%, however, the total amount to be paid will not exceed the approved budget. Amount to be reimbursed for staff related expense should not exceed the approved amount for that item.
- 3.9 The reimbursed amount could be reduced on a pro-rata basis in the following circumstances–
 - (a) The scope and / or activities of the programme are changed;
 - (b) The actual frequency of events (e.g. seminars) is less than proposed;
 - (c) The number of participants (count by heads) is less than proposed and the grant allocated is according to the number of participants;
 - (d) The number of publications (e.g. leaflets) is less than that proposed; or
 - (e) The duration of programme is reduced.
- 3.10 Any items not included in the approved list of budget items will not be reimbursed. The decision from AFCD in respect of reimbursed amount will be final.

4. Monitoring and Compliance

- 4.1 To assess the effectiveness of the subvented programme, subvented organisation may be requested to collect feedback from the participants through a post-event questionnaire.
- 4.2 Representatives from the Department may request to join any activities under the subvented programme for inspection of the performance. Such inspections include–
 - (a) *Scheduled Visit*: Two weeks' notice will be given to the subvented organisation for inspection.

(b) *Surprise Check*: No advance notice will be given to the subvented organisation for inspection.

4.3 Subvented organisation should inform the Department of any changes in event schedules at earliest convenience.

5. Completion Report

5.1 Within one month of completion of the programme, subvented organisations have to submit a completion report and a financial report, together with original invoices and receipts, to the Department.

5.2 Completion report should be signed off personally by the person-in-charge of the subvented organisation and submitted in such format as prescribed in the relevant form.

5.3 Subvented organisation must inform the Department as soon as possible if they decided to cancel the whole or any part of the programme after acceptance of subvention.

5.4 If an extension of the submission deadline for the submission of completion report is required, approval should be obtained from the Department.

5.5 The Department will assess the success or effectiveness of the programme by comparing the programme result against its original objectives and targets as set out in the proposal. Unsatisfactory performance will affect the organisation's future chance of getting funding support, and the organisation's management will be informed.

5.6 The actual expenses, reference numbers of individual invoices and receipts, as well as elaborations on individual transactions under each approved budget item should be clearly indicated in the financial report. Auditing will not be required, but the Department, as appropriate, reserves the right to check all financial records kept by the subvented organisation relating to the use of the fund.

6. Intellectual Property Rights Arising from Programme

6.1 Unless negotiated otherwise between the Department and the subvented organisation, the subvented organisation will solely own all intellectual property rights arising from the programme.

6.2 The subvented organisation is required to grant unconditional and irrevocably to the Government the right to publish results, findings and any other information provided in the application, completion report and other publications or publicity materials.

7. Publicity of Programme Events and Results

- 7.1 Programmes which receive funding support from the subvention, including the activities, publicity and other events organised under the programme, as well as their related educational, publicity and other related materials, should not be used for purposes of personal, political, commercial or religious publicity of any individuals or organisations. In addition, activities and events organised and materials produced under the programme should not be implemented or distributed in a way which may adversely affect the Department, or cause any liability to the Department.
- 7.2 Subvented organisations are reminded to adhere to the principles of green procurement during production of educational materials, leaflets, or prizes and souvenirs for the participants

8. Acknowledgement of Support and Disclaimer

- 8.1 The source of funding must be acknowledged in all publicity materials resulting from the programme. Failure in making proper acknowledgement may result in suspension or termination of funding support and affect the future applications.
- 8.2 An acknowledgement statement “Subvented by Agriculture, Fisheries and Conservation Department¹” may be used and printed onto the top-left corner or other prominent position with a view to promulgate the contribution of the subvention.
- 8.3 A disclaimer should be added to all publications and media brief related to the subvented programme: “*Any opinions, findings, conclusions or recommendations expressed in this material / event do not necessarily reflect the views of the Government of the Hong Kong Special Administrative Region.*”²

9. Procurement of Capital items, Goods and Services

Note for Applicants: The subvented organisation is obliged to adhere to a high standard of integrity and spend the funds in an open, fair and accountable manner. Subvented organisation is advised to observe the Best Practice Checklist issued by the Corruption Prevention Department of the Independent Commission Against Corruption namely “Strengthening Integrity and Accountability – Grantee’s Guidebook” (http://www.icac.org.hk/filemanager/en/Content_1031/GranteeBPC.pdf).

- 9.1 The subvented organisation should exercise utmost prudence in procuring goods and

¹ The acknowledgement statement in Chinese is: 「此活動由漁農自然護理署資助」

² The disclaimer in Chinese is: 「在此刊物上/任何的項目活動內表達的任何意見、研究成果、結論或建議，並不一定反映香港特別行政區政府的觀點。」

services for the programme and must adhere to the following procedures unless the Department agree otherwise:

<u>Aggregate value of every procurement</u>	<u>Requirement</u>
Below HK\$5,000	Quotations are not required
HK\$5,001 – HK\$10,000	Quotations from at least two suppliers are required
HK\$10,001 or above	Quotations from at least three suppliers are required.

- 9.2 The subvented organisation should select the supplier that has submitted the lowest bid. If the lowest bid is not selected, full justification must be given and prior agreement must be obtained from the Department.
- 9.3 In case an applicant organisation intends to procure the items from a specified company / organisation / individual without following the open procurement process in paragraph 9.1 above, it has to provide details of the proposed procurement, justifications for the special procurement arrangement, and its relationship with the company / organisation / individual concerned in the application form and/or completion report.
- 9.4 In the case of universities / tertiary institutions, they may adhere to their established / current standard procurement procedures.
- 9.5 All quotations and tendering documents should be kept for record by the Department.
- 9.6 Procurement of capital items, goods and services must be conducted in an open and fair manner. Applicants must not offer advantages as defined in the *Prevention of Bribery Ordinance (Cap. 201)* to AFCDC officers in connection with their applications or while having dealings of any kind with AFCDC.
- 9.7 A mechanism should be put in place for staff and workers to declare any conflict of interest and to prohibit staff and workers from soliciting or accepting any advantage when handling the subvented programmes. All records of declaration of interest should be properly documented.

10. Suspension / Termination of Funding Support

- 10.1 The Department may suspend / terminate support for a programme if the subvented organisation fails to comply with the funding conditions as set out in this document and no reasonable explanation has been given.

- 10.2 In the above case of suspension / termination, the Department shall give two weeks' notice to the subvented organisation, stating the reasons for the suspension / termination. In cases of suspension, the subvented organisation should demonstrate that measures have been taken to rectify the problems and improve the unsatisfactory situation before the Department lifts the suspension. In cases of termination, the funding, including expenses already spent, will not be reimbursed.
- 10.3 Any suspension or termination of a programme will affect the organisation's future chance of getting financial support from the subvention, and the organisation's management will be informed.
- 10.4 Any major changes to the programme must be approved by the Department. Such major changes include –
- (a) Revision to the objectives and / or content;
 - (b) Change of programme leader;
 - (c) Transfer of programme to another organisation;
 - (d) Deferral of completion reports / statement of accounts submission date; or
 - (e) Change in sponsorship.
- 10.5 The Department may suspend / terminate funding support for a programme if the programme is being carried out under any of the above circumstances without prior approval.

11. Others

- 11.1 The Department shall have no responsibility, financial or otherwise, for expenditure or other liabilities arising from the programme.
- 11.2 If personal information of participants was to be collected for purpose of the programme, the information should be properly handled according to the requirements of the Personal Data (Privacy) Ordinance. If in doubt, advice from the Office of the Privacy Commissioner of Personal Data should be sought.
- 11.3 Subvented organisations shall observe the “Waste Reduction Guidebook” and adopt the suggested waste reduction measures when organising large scale event (https://www.wastereduction.gov.hk/sites/default/files/GreenEvent_Guidebook_Eng_201801.pdf).