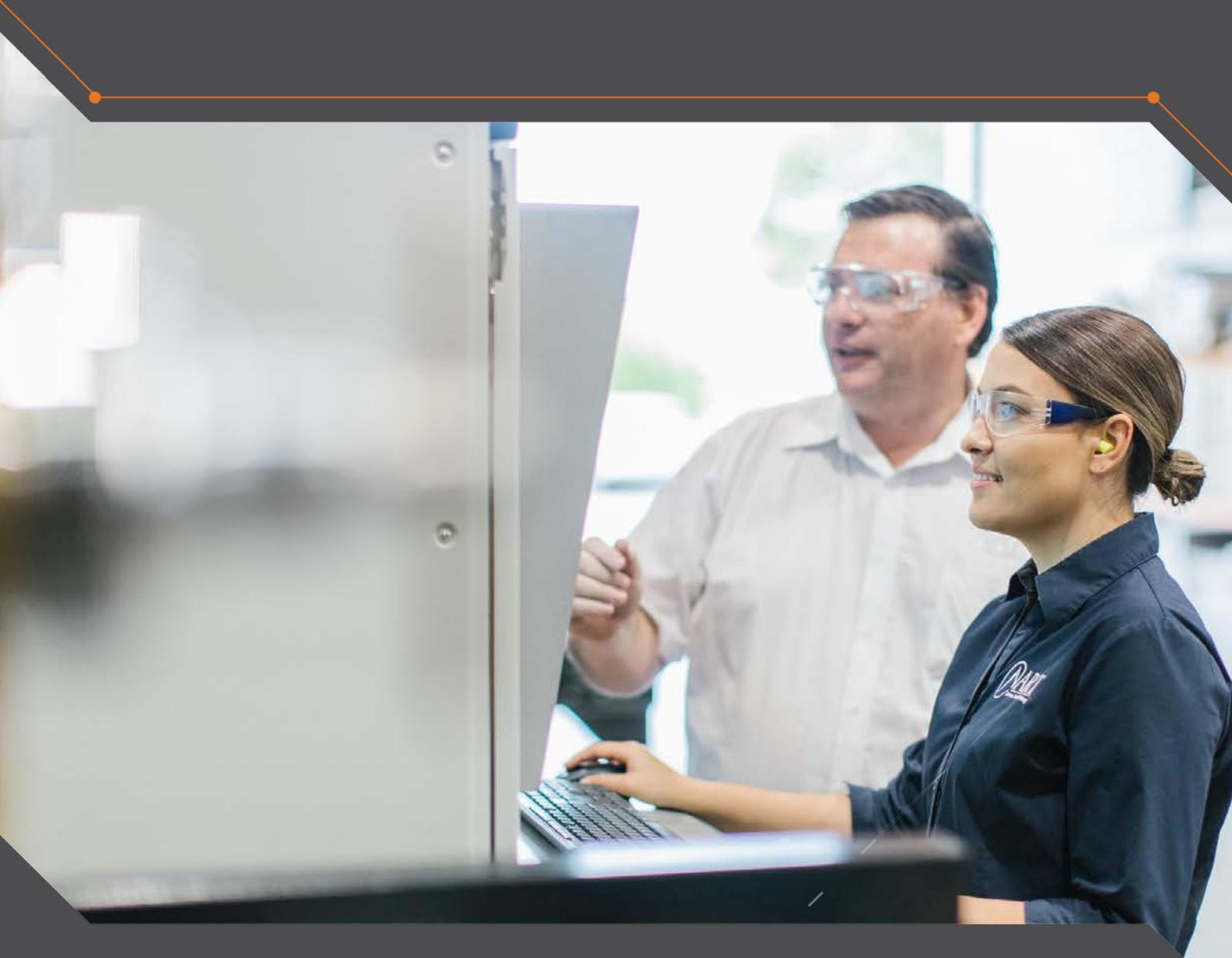


# Made in Queensland Program – Round 3 – Guidelines for Applicants

September 2019



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Copies of this publication are available on our website at [www.dsmip.qld.gov.au/](http://www.dsmip.qld.gov.au/) and further copies are available upon request to:

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# Contents

1.0	Introduction.....	3
2.0	Made in Queensland Program.....	4
2.1	Overview.....	4
2.2	Program Objectives .....	4
2.3	Eligibility Criteria.....	4
2.4	Eligible Projects .....	5
2.5	Ineligible Project costs .....	7
2.6	Funding arrangements .....	8
2.7	Application process .....	9
2.8	How to apply .....	10
2.9	Assessment criteria .....	12
2.10	Assessment process .....	13
2.11	Program evaluation.....	13
2.12	Tax Obligations .....	13
3.0	Communications.....	14
3.1	Communication with the media .....	14
3.2	Confidentiality, privacy and use of information.....	14
4.0	Glossary of key terms.....	15
5.0	Contact details.....	16
6.0	Terms and Conditions .....	17
6.1	Reservation of rights .....	17
6.2	No relationship .....	17
6.3	Participation at applicant’s cost .....	18
6.4	Non-exhaustive.....	18
6.5	Intellectual property .....	18
6.6	Law.....	19
6.7	Acceptance .....	19

# 1.0 Introduction

The Made In Queensland (MIQ) Program complements the Queensland Government's **Advanced Manufacturing 10-Year Roadmap and Action Plan** (the Roadmap) released in December 2016 and updated in November 2018. The fund is administered by the Department of State Development, Manufacturing, Infrastructure and Planning (the Department).

The MIQ Program provides grant funding to support Queensland's small to medium enterprises (SME) in the traditional manufacturing sector to increase manufacturers' international competitiveness, productivity and innovation via the adoption of new technologies. The MIQ Program is aimed at supporting existing jobs and creating new jobs of the future in Queensland manufacturing businesses and in the state's supply chains to grow Queensland's economy.

This document sets out the guidelines for applicants for Round 3 of the MIQ Program (**Guidelines**). The competitive, two-stage process for Round 3 applicants commences from September 2019. Indicative dates are as follows, the EOI stage opens on **10 September 2019** and closes on **11 October 2019 at 5.00pm AEST**. The Detailed Application stage opens on **8 November 2019** and closes on **20 December 2019 at 5.00pm AEST**.

## 2.0 Made in Queensland Program

### 2.1 Overview

An MIQ grant will support eligible Queensland-based manufacturing SMEs by reimbursing up to 50 per cent of the costs of an Eligible Project proposed to be conducted by the SME.

Grants of between \$50,000 to \$2.5 million (excluding GST) will be:

- available as matched funding on a dollar-for-dollar cash basis;
- available for projects that align with the strategic direction of the applicant and the MIQ Program Objectives, and that facilitate:
  - innovative integrated systems, processes and strategies;
  - adoption of advanced leading-edge technologies such as robotics; and
- allocated following the conduct of a two-stage competitive selection process.

**Note: The total value of all MIQ grants received by any one entity (including the entity's Associated Entities) across all rounds of the MIQ Program must not exceed \$2.5 million.**

Grants under Round 3 of the MIQ Program will be allocated through a two-stage, competitive process. The first stage involves an applicant submitting an Expression of Interest (EOI). If the EOI demonstrates that the applicant meets the Eligibility Criteria, the EOIs will be evaluated and scored against the EOI assessment criteria set out in Section 2.9. Applicants with the highest ranked EOIs (**Shortlisted Applicants**) will then be invited to progress to Stage 2 (**Detailed Application**).

Detailed Applications submitted by Shortlisted Applicants as part of Stage 2 will be assessed and scored against the Detailed Application assessment criteria set out in Section 2.9. Applications will then be ranked and, subject to the Minister's discretion (as described in Section 2.10) grants will be awarded to those Shortlisted Applicants with the highest ranked applications.

### 2.2 Program Objectives

The objectives of MIQ (**Program Objectives**) are to:

Support the **Advanced Queensland Priorities** and the Department of State Development, Manufacturing, Infrastructure and Planning's (the Department) **Strategic Direction by:**

- increasing the productivity and international competitiveness of Queensland-based manufacturing SMEs;
- encouraging Queensland-based manufacturing SMEs to adopt innovative processes and technologies;
- encouraging more Queensland-based manufacturing SMEs to become Advanced Manufacturers; and
- supporting traditional manufacturing jobs and create the new high-skilled manufacturing jobs of the future.

### 2.3 Eligibility Criteria

To be eligible for an MIQ grant, an applicant must:

- be a Queensland-based business whose principal activity and majority annual turnover is derived from manufacturing, as defined under Division C of the Australian Bureau of Statistics' **Australian and New Zealand Standard Industrial Classification (ANZSIC), 2006**; or demonstrate that the business should be considered a manufacturer, to the Department's satisfaction;
- be registered for GST and hold an active Australian Business Number (ABN);
- be an SME with between five and 200 full-time equivalent employees located in Queensland; or demonstrate that the business should be considered an SME, to the Department's satisfaction;

- have a proposed Eligible Project (that meets the requirements set out in Section 2.4 and be able to demonstrate that the applicant is in a position to verify/validate the expected effectiveness and outcomes of the proposed Eligible Project if the applicant progresses to Stage 2 (Detailed Application));
- have the financial capacity and standing necessary to conduct the proposed Eligible Project recognising that the grant payments are made in arrears;
- not have, and must not be an Associated Entity that has, received (or be about to receive) funding under the MIQ Program that in aggregate exceeds, or will exceed \$2.5 million;
- not have made, and must not be an Associated Entity that has made, an application under Round 3 of the MIQ Program that in aggregate exceeds, or will exceed \$2.5 million;
- not be insolvent or have owners or directors that are an undischarged bankrupt; and
- not be a federal, state or local government entity, statutory authority or special purpose vehicle or not-for-profit organisation.

If an application does not meet the Eligibility Criteria, the Department may reject the application and not consider it for any further assessment.

Applicants should note that a detailed due diligence and probity review may be undertaken on the applicant including, but not limited to, the checks and searches below:

- applicant bona fide checks (status, corporate structure, ownership, directors review etc.);
- background and probity searches (ACCC, Banned & Disqualified, Bankruptcy, Adverse Media, Courts);
- financial capability (historical financials) and viability (funding capacity and sources); and
- business and project risks, and planned mitigations.

The outcome of the Department's due diligence review may impact on the Department's application of the assessment criteria, that is, if deemed not to satisfy due diligence and financial probity, the application may be deemed ineligible for a grant and the department may elect to not process the application further.

## 2.4 Eligible Projects

To be an Eligible Project, the project must:

- be consistent with the Program Objectives
- be directly related to recommendations of an independent evaluation report or similar independent business diagnostic (such as benchmark, future mapping, lean audit, value stream map etc)
- be either one or more of the following:
  - the introduction of a process or technology not currently used by the applicant that is industry-leading (best practice) such as:
    - implementing advanced robotics
    - implementing a leading-edge, sector relevant system
  - the development of a plan or strategy
- be designed so that it is aimed at achieving the desired business transformation, embracing Industry 4.0 (digitisation, interconnected factory, big data analytics etc.)
- be able to be completed within 12 months of execution of a funding agreement
- not have commenced and not be scheduled to commence until after a Funding Agreement has been executed; and
- not be the same as a project approved under the first or second round of MIQ where an agreement has already been entered into between the Department and the applicant and not be subject to funding under any other Queensland Government or Federal Government grant or scheme.

Your project may include one or more of the below project examples and associated critical costs:

Project focus	Examples of eligible projects
Process improvement	Lean manufacturing, lean audit, value stream mapping, error and down time reduction etc.)
	Implementation of digital connectivity enabling measurement, big data analytics, machine integration (sensors, data loggers, software etc.)
	Site visualisation deployment for improved structure and factory layout
Advanced robotics	New and advanced robotics and automation, demonstrating integration with existing or new systems, processes or workflow
New technologies	New, advanced manufacturing technologies including equipment. Equipment must be leading-edge and innovative or integral to support the introduction of innovative systems and processes. The equipment must be demonstrated to integrate with existing or new systems (connectivity), processes or workflow
Advanced systems	Enterprise Resource Planning (ERP) installation, implementation and integration
	Inventory management systems installation, implementation and integration
	Supply/value chain integration management system, installation, implementation and integration
Professional advice	Professional advice on optimising/augmenting current resources/equipment or new equipment/technology investment (Planning), including an integration of advanced technologies plan
	Professional advice on developing a human resource management plan to support integration to boost commercial outcomes creating sustainable jobs
Improvement planning	Networking and digital connectivity implementation plan
	Supply/value chain digital data capture and analysis plan
	Progressive energy and carbon footprint management, development and implementation plan
Waste reduction planning	Innovative water use management, development and implementation plan
	Sophisticated material waste, reuse and recycling management, development and implementation plan
Market expansion planning	Business model innovation
	Market research
	Differentiation/diversification of existing products/services strategy
	Social media, digital media/market/export strategy
	Servers to accommodate advanced systems and process connectivity (refer to ineligible costs associated with servers)

Project focus	Examples of eligible projects
Associated project costs critical to the success of the proposed MIQ project	Installation of, commissioning of and training on new equipment, robotics and automation systems
	Training to support implementation of a new software system or integrated technology
	Freight

## 2.5 Ineligible Project costs

Applicants must identify their expected total project costs (including eligible project costs and ineligible project costs), and the grant amount requested. The grant amount must not exceed 50% of the total eligible project costs.

Applicants will be entitled to claim funding only for eligible project costs. Eligible project costs mean those costs and expenses reasonably incurred by the applicant in connection with the Eligible Project but excluding any ineligible project costs.

Applicants will not be entitled to receive funding in respect to ineligible project costs.

Ineligible project costs mean costs and expenses associated with:

- Project costs incurred or paid prior to the execution of the MIQ Funding Agreement;
- MIQ Round 3 proposed project or project item/s that are the same as a project or project item/s approved under the first or second round of MIQ where an agreement has already been entered into between the Department and the applicant;
- MIQ Round 3 proposed project or project item/s that are the same as a project or project item/s subject to funding (either already under contract or contract pending) under any other Queensland Government or Federal Government grant or scheme;
- preparing an application for the MIQ Program, including any third-party consultant costs involved in the preparation of materials in support of an expression of interest and/or Detailed Application or any associated reports used as the basis for an application;
- salaries for staff or the costs associated with recruitment activities;
- normal operations (e.g. utilities charges, telecommunications charges, standard tool or machinery hire/purchases, licensing fees, membership fees etc);
- repair, maintenance or replacement of existing equipment;
- duplication of existing equipment or upgrades to existing equipment;
- equipment not considered to be Industry-leading, Leading-edge, Advanced Manufacturing equipment (e.g. equipment designed merely to bring a business into line with existing industry practice in Australia, equipment that is not considered to align with international best practice)
- development and build of equipment for demonstration purposes (that is, equipment and components not being used for the manufacture of products), and equipment built for proof of concept purposes;
- processes which are standard, mundane, “everyday”, not advanced or not international best practice;
- second-hand, leased or hire-purchased equipment;
- freight or carriage services not associated with, or considered to be critical to, the proposed MIQ project;
- modifications or extensions to existing infrastructure or construction of new infrastructure (including wiring, cabling and plumbing installation, renovations of buildings, building extensions, server rooms etc);
- design and printing of promotional materials, website design and development, advertising and animation, copy right and development of promotional material or any online content;
- exhibiting at trade shows, visiting overseas trade events, study tours or conventions;
- travel and accommodation;

- general on-the-job training and supervision, training courses, training programs and further education (e.g. Certificates III & IV);
- vehicle repair, maintenance, purchasing or leasing;
- quality accreditation, certification, compliance and fees and charges associated with registering domestic or international patents or other intellectual property protection;
- legal advice and intellectual property rights advice of any kind;
- consultants or contractors that are Associated Entities;
- research and development
- commercialisation of new products (products not yet in the market with no history of sales), that are not currently associated with the current product range or business capability;
- funding for project contingencies or cost overruns;
- installation and training not demonstrated to be critical to the correct functioning of equipment which is part of an MIQ Eligible Project; and
- other project costs that the Department considers, acting reasonably, are not reasonably incurred by the Recipient primarily for or in connection with the Eligible Project.

## 2.6 Funding arrangements

Successful MIQ applicants will be required to execute a funding agreement with the Department. The Department has no obligation to provide the MIQ grant until such funding agreement has been duly executed by both the successful applicant and the Department.

This funding agreement will outline the terms of the proposed grant and detail the deliverables to be achieved by the applicant.

A 20% up-front payment will be made following execution of the funding agreement (subject to the requirements of any special conditions being satisfied) with the remainder to be paid, as detailed in the funding agreement, following completion of the project deliverables to the satisfaction of the Department. The Department may retain 5% of the funding for 12 months following completion of the project, to ensure delivery of the outcomes and objectives of the project.

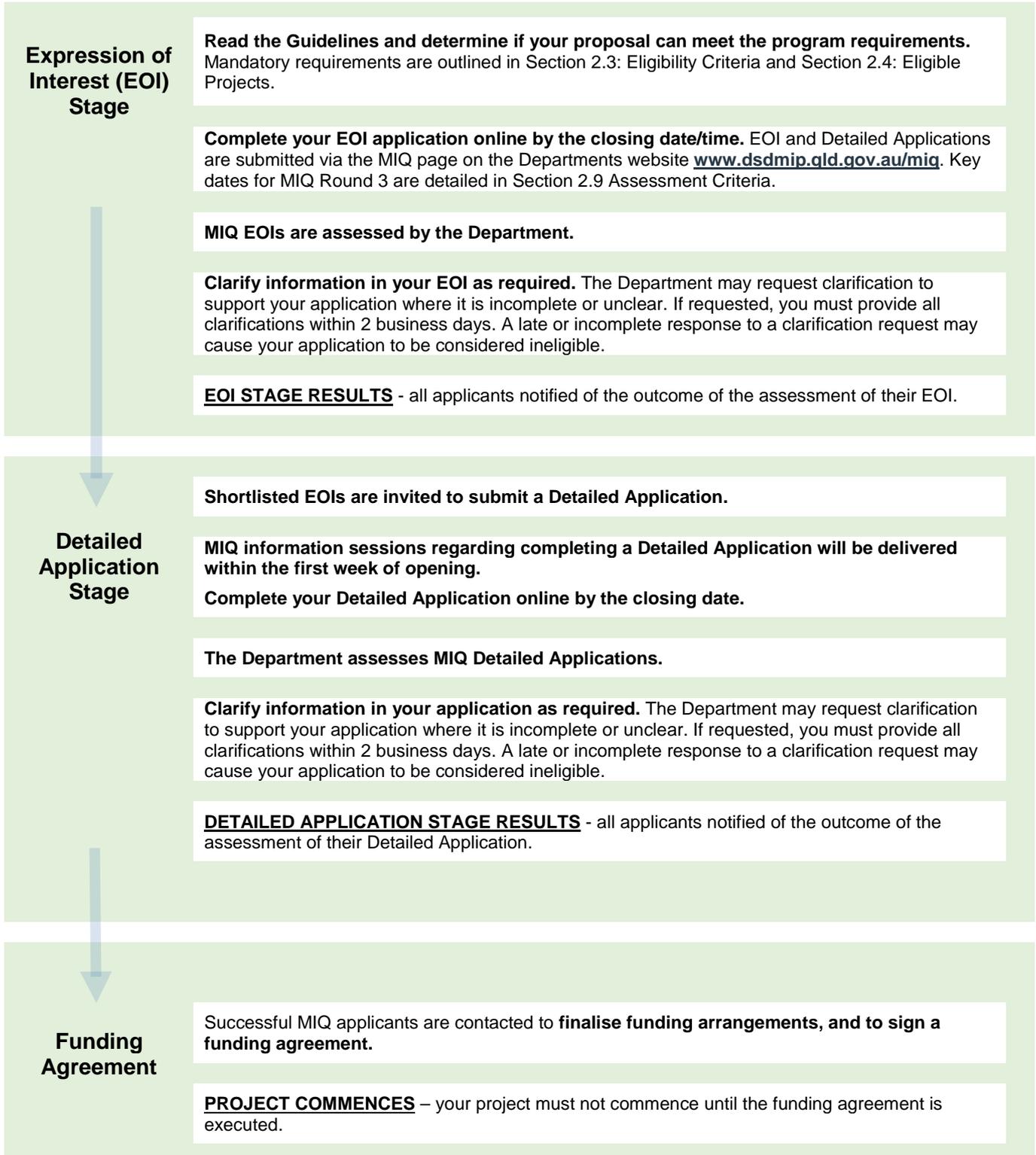
Without limiting the terms and conditions set out in Section 6 of these Guidelines, the Department will not be liable to an applicant for any commitments made, or costs incurred or paid, by an applicant prior to execution of a funding agreement.

For each deliverable, the applicant must submit a payment claim with supporting documentation to evidence the expenditure on the Eligible Project activities, including invoices from suppliers and bank statements/remittance advices showing project expenditure. Subject to acceptance of a valid payment claim, the funding will be paid in accordance with the terms set out in the Funding Agreement.

## 2.7 Application process

MIQ applicants will proceed through a competitive, two-stage process as outlined in the following diagram:

### MADE IN QUEENSLAND APPLICATION PROCESS



The key timeframes for the conduct of the process are as follows. Other than the opening and closing dates for the Stage 1 (EOI) applications, all dates are indicative only:

Key Date	Key Activities/Actions
10 September 2019	Opening date for receipt of Stage 1 (EOI) applications
11 October 2019 5.00pm (AEST)	Closing date for receipt of Stage 1 (EOI) applications
7 November 2019	Department to finalise EOI Assessment
8 November 2019	Department to notify unsuccessful applicants in the EOI Stage and invite successful applicants in the EOI Stage ( <b>Shortlisted Applicants</b> ) to progress to Stage 2 (Detailed Application). Commencement of Detailed Application Training.
20 December 2019 5.00pm (AEST)	Closing date for Shortlisted Applicants to submit a Detailed Application
5 February 2020	Detailed Application Assessment finalised
27 February 2020	Successful applicants advised of grant outcomes.

## 2.8 How to apply

Applicants should refer to the separate Made in Queensland Round 3 – Helpful Hints for Completing an MIQ EOI Application which contains tips about what to include in your application.

Applications must be submitted electronically and by the closing date for both Stage 1 (EOI) (11 October 2019, 5.00pm AEST) and (if applicable) Stage 2 (Detailed Application) (20 December 2019, 5.00pm AEST).

The Department may, at its discretion, accept or reject any late applications. Once the EOI stage opens the EOI form will be available on the [MIQ page](#) of the Department's website. Applicants invited to submit a Detailed Application will be provided with a link to the Detailed Application form.

Applicants will be responsible for their own costs with regards to applications for both stages as per Section 2.5 Ineligible project costs. This includes the cost of providing an independent evaluation report for Stage 2 (Detailed Application).

### Stage 1 (Expression of Interest)

The first stage of the application process involves submitting an Expression of Interest (EOI) which will include:

- a completed EOI application form which must include:
  - information on the business
  - a description of the proposed MIQ project that aligns with the scope of an Eligible Project (specified in Section 2.4);
  - identification of how the proposed project will achieve one or more of the Program Objectives (specified in Section 2.2);
  - the expected project benefits, including maintaining current jobs and/or creating new high-skilled manufacturing jobs; and
  - applicant's declaration.

- reference to supporting evidence conducted within the last 12 months to show that the proposed project directly aligns with the strategic direction of the business. Alternatively, the applicant can identify the steps proposed to obtain independent evidence that validates the project, if the applicant is invited to participate in Stage 2 (Detailed Application);
- initial total project costings over a maximum of 12 months;
- a simple project timeline or GANTT chart.

EOIs that meet the Eligibility Criteria (as set out in Section 2.3) will be evaluated and scored against the assessment criteria set out in Section 2.9.

The highest-ranking applicants from the EOI assessment will be invited to progress to Stage 2 (Detailed Application).

## Stage 2 (Detailed Application)

Stage 2 of the application process involves submitting a Detailed Application which must align with the project scope and costings submitted as part of the EOI.

Detailed Applications must include:

- an independent evaluation report (or similar independent business diagnostic such as future mapping, lean audit, value stream map) to validate that the proposed project aligns with the strategic direction of the business;
- confirmation of the number of employees in the business, which must align with the number of current employees as referenced in the EOI and attachments to the Detailed Application;
- information on the business structure;
- detailed information about the proposed project scope;
- detailed project cost breakdowns, including eligible project cost and ineligible project cost estimates;
- evidence that the business can fund the project costs not funded by the MIQ grant. This must include details of the extent to which this will be financed internally or externally and any associated security (the funding source cannot include security being held over the asset e.g. chattel mortgage, lease to purchase, equipment finance or other credit arrangement where any entity will hold security over the Eligible Project property);
- evidence to support claims (or the rationale behind claims) about the project's expected benefits, including value for money to the business, the local region or supply chain and the State;
- copies of three quotations (unless not possible due to exceptional circumstances which must be clearly explained) for all purchases to show reasonable price and value for money; for the exceptional circumstances, a satisfactory procurement approach and evidence must be provided to show reasonable price and value for money;
- a detailed project timeline or GANTT chart;
- copies of valid insurances cover;
- evidence of the governance structure or processes of the business for decision-making; and
- if the applicant's business has been in operation:
  - for 3 years or more, three years of financial statements including profit and loss, balance sheet and statement of cash flows (where available) including notes to the accounts that are either accountant prepared, audited and certified (preferred) or accountant prepared and signed financial statements; or
  - for less than 3 years, a statement of viability and a 'management accounts' report prepared by a chartered accountant.

Detailed Applications will be assessed and scored against the assessment criteria set out in Section 2.9 and due diligence and financial probity checks may also be undertaken by the Department. Detailed Applications will then be ranked and a recommendation made to the department's delegate to award grants to those Shortlisted Applicants with the highest ranked applications overall.

Where necessary, a full technical assessment by industry experts, selected by the Department in its absolute discretion, may be undertaken to verify claims by the applicant about the Leading-Edge nature of the project (equipment and/or innovative systems).

## 2.9 Assessment criteria

If an MIQ grant application:

- meets the Eligibility Criteria; and
- contains all information (including supporting evidence) identified in these Guidelines and the application form, the grant application will be assessed and scored against the following criteria:

Criteria		Weightings	
		EOI	Detailed Applic.
1	The project demonstrates that it will build the capacity of the business to increase its productivity and international competitiveness	20%	10%
2	The project will involve the adoption of integrated, leading-edge, advanced technologies (equipment and/or systems and strategies) supporting business transformation embracing industry 4.0	20%	20%
3	The project will support current manufacturing jobs and/or will create new high-skilled manufacturing jobs	20%	20%
4	The project aligns with the strategic direction of the business and will increase profitability	10%	10%
5	The project demonstrates value for money to the business, the local market and the state	10%	20%
6	The project is achievable within the stated budget and timeframes	10%	10%
7	**Regional weighting of 10% will be applied to the scores of applicants experiencing higher-than-state-average unemployment (based on ABS data) and/or which are in drought-declared areas (based on State data) as applicable at the time of assessing the EOI and the Detailed Application.	10%	10%

### ADDITIONAL ELIGIBILITY ASSESSED AT DETAILED APPLICATION STAGE

#### Examined separately but not scored in the overall total:

- Ability to fund the project costs not funded by the MIQ grant. The funding source cannot include security being held over the asset e.g. chattel mortgage, lease to purchase, equipment finance or other credit arrangement where any entity will hold security over the Eligible Project equipment.
- Satisfactory Due Diligence and financial Probity Checks.

Detailed Applications that do not pass either of these additional eligibility requirements may be ineligible for a MIQ grant, and the Department may elect not to apply the Detailed Application assessment criteria.

Applications from manufacturers in the Department's **priority industry sectors** are encouraged.

Applicants should note that detailed financial and other company and project information will be required to enable due diligence and financial probity checks to be conducted.

\*\*A regional weighting system – providing 10% to scores – is designed to provide assistance to businesses in regional areas which are experiencing higher-than-state-average unemployment, and/or which are drought-declared areas. The list of eligible regions will be based on the latest statistical data available at the time of assessing EOIs.

## 2.10 Assessment process

Applications must contain all information required to be submitted at the time of lodgement for both the EOI and Detailed Application stages. The Department may decide not to consider applications that do not include all required information.

Applicants may be contacted during the assessment process to clarify information provided in the application and/or request further information to enable a comprehensive due diligence and probity assessment to be undertaken.

If an applicant does not submit all clarification information in the required timeframe the Department may set aside the application.

Despite anything else contained in these Guidelines and without limitation, the Minister for State Development, Manufacturing, Infrastructure and Planning may decide to grant an application, or part of an application, in the Minister's absolute discretion, including where the Minister considers the grant of the application, or part of an application, supports the achievement of the priorities and objectives of the Government or is otherwise in the public interest.

The Department will notify an applicant about the outcome of their application within 28 business days of the decision being made.

The Department's decision in relation to an application is final and may not be appealed. If, however, an applicant has any dispute in relation to the application or assessment process, a formal complaint may be submitted to the Department via the [Department's website](#).

## 2.11 Program evaluation

As an initiative of the Queensland Government, MIQ will be continuously monitored and reviewed to ensure that the MIQ Program effectively achieves the Program Objectives. These Guidelines may be updated to reflect future changes to the MIQ Program.

These Guidelines only apply to applications for Round 3 of the MIQ Program.

## 2.12 Tax Obligations

Grants may be treated as assessable income for taxation purposes. The Department does not provide advice to applicants and recommends applicants seek independent professional advice on their tax obligations.

## 3.0 Communications

### 3.1 Communication with the media

All media enquiries or public announcements relating to the MIQ Program will be coordinated and handled by the Department of State Development, Manufacturing, Infrastructure and Planning's media team.

Applicants must seek and obtain the Department's approval before contacting or responding to the media in connection with successful or unsuccessful applications for funding support under or in connection with the MIQ Program, and comply with the Department's requirements about the form, content, timing and manner of any proposed media statement or event.

Where possible, all media and communications will be undertaken jointly with successful applicants.

Applicants acknowledge that the Department intends to publicly disclose the names of successful applicants, general details about projects funded (including the amount of funding granted), and the anticipated and realised outcomes of funded projects (such as jobs creation benefits and business improvement metrics).

### 3.2 Confidentiality, privacy and use of information

The Department will maintain controls in relation to the management of confidential information provided by applicants. Applicants should specifically mark any information the applicant considers to be confidential.

An applicant must keep confidential its application, any information provided to the Department in connection with its application and its dealings with the Department about its application but may make disclosures if required by law or to its representatives or advisors who are under an obligation of confidentiality. An applicant must also keep confidential any information designated by the State as confidential.

The Department may disclose information, including confidential information, of or provided by an applicant:

- to its representatives and advisors for any purpose
- to any government agency or authority and its representatives and advisors, including for the purpose of assessing and verifying such information
- to comply with or meet applicable standards of accountability of public money or established government policies, procedures or protocols; or
- if required to be disclosed by law.

Personal information collected as part of the application and assessment process will be used by the State and disclosed to third parties for purposes in connection with the assessment of applications (and if an application is successful, in connection with administration of any subsequent agreement). The State will otherwise deal with personal information provided to it in accordance with the *Information Privacy Act 2009*.

For audit purposes, the State is required to retain applications and other supplied supporting material. Successful applications will be retained for seven years and unsuccessful applications retained for two years.

## 4.0 Glossary of key terms

Concept/Term	Meaning
Advanced Manufacturing / Advanced Manufacturers	<p>Advanced Manufacturing involves a holistic approach to the way a manufacturing business operates, with a high level of technology and expertise applied throughout every step of the value chain.</p> <p>Advanced manufacturers use and integrate new technologies, design and innovative production and customer engagement systems to produce high-value product and smart services across key industry sectors.</p>
Associated Entity	Associated Entity has the same meaning as under s50AAA of the <i>Corporations Act 2001</i>
Detailed Application	The Detailed Application stage is the second stage of the MIQ application process. Applicants proceed to this stage at the invitation of the Department. The Detailed Application must build upon and provide the necessary evidence to demonstrate and support claims outlined in the EOI.
Eligibility Criteria	The Eligibility Criteria is set out in Section 2.3 of these Guidelines.
Eligible Project	The requirements of an Eligible Project are set out in Section 2.4 of these Guidelines.
Expression of Interest (EOI)	The Expression of Interest (EOI) is the first stage of the MIQ application process. Under the competitive process, EOIs that meet the Eligibility criteria will be evaluated and scored against the assessment criteria. The highest-ranking applicants from the EOI assessment will be invited to progress to Stage 2 (Detailed Application).
High-skilled jobs	Jobs that require special skills, training, knowledge (usually acquired), ability and proficiency in the latest technologies and processes relevant to the industry.
Industry 4.0	Industry 4.0, otherwise referred to as the Fourth Industrial Revolution, is a key enabler of advanced manufacturers that connects big data and analytics with automation and robotics to improve cost, productivity, profitability and operations of a manufacturer.
Industry Leading	Industry Leading in terms of a product or technology means superior to or more advanced than rival products and technologies.
Leading Edge	<p>Leading Edge refers to the highest level of general development of a device, technique or specific field at a particular time. It also refers to the latest and most sophisticated or advanced stage of a technology.</p> <p>NB: It does not refer to bringing a business up to the same general standard as its industry peers.</p>
Program Objectives	The Program Objectives are the objectives of the MIQ Program set out in Section 2.2 of these Guidelines.

## 5.0 Contact details

For inquiries or assistance, please contact

**Web:** <https://www.dsdmip.qld.gov.au/mig>

**Email:** [madeinquensland@dsdmip.qld.gov.au](mailto:madeinquensland@dsdmip.qld.gov.au)

**Phone:** 13 QGOV (13 74 68)

Information about application processes can also be obtained from your local Regional Office of the Department of State Development, Manufacturing, Infrastructure and Planning:

Region	Office Address	Telephone number
Far North Queensland	Ground Floor, Cairns Port Authority Building, Cnr Grafton and Hartley Streets, Cairns Qld 4870	07 4037 3209
North Queensland	Level 4, 445 Flinders Street, Townsville Qld 4810	07 4758 3400
North West Queensland	1/75 Camooweal Street, Mount Isa Qld 4825	07 4747 3900
Mackay Isaac Whitsunday	Level 4, 44 Nelson Street, Mackay Qld 4740	07 4898 6800
Central Queensland	Level 2, 209 Bolsover Street, Rockhampton Qld 4700	07 4924 2914
Gladstone	Level 1, 20-22 Herbert Street, Gladstone Qld 4680	07 4977 7401
Bundaberg Burnett	Level 1, 7 Takalvan Street, Bundaberg Qld 4670	07 4331 5616
Fraser Coast and Gympie	123 Wharf Street, Maryborough Qld 4650	07 4122 0403
Darling Downs South West	128 Margaret Street, Toowoomba Qld 4350	07 4616 7306
South East Queensland (North)	Level 8, Mike Ahern Building, 12 First Avenue, Maroochydore Qld 4558	07 5352 9706
	6 Endeavour Boulevard, North Lakes Qld 4509	07 3882 8408
South East Queensland (West)	Level 4, 117 Brisbane Street, Ipswich Qld 4305	07 3432 2400
South East Queensland (South)	Level 1, 7 Short Street, Southport Qld 4215	07 5644 3202

## 6.0 Terms and Conditions

In these terms and conditions, a reference to:

- an application means an application (or relevant part of an application) made to the MIQ Program, and includes an EOI, a Detailed Application and any other supporting or additional information in whatever form provided by the applicant in connection with an EOI or Detailed Application;
- Guidelines is a reference to these MIQ Program Guidelines.

### 6.1 Reservation of rights

The Department reserves the right to administer the MIQ Program and conduct the process for the assessment and approval of applications to the MIQ Program in such manner as it thinks fit, and to:

- change the structure, procedures, nature, scope or timing of, or alter the terms of participation in the process or overall MIQ Program (including submission and compliance of applications), where in such circumstances notice will be provided to applicants;
- consider or accept, or refuse to consider or accept, any application which is lodged other than in accordance with these Guidelines or is lodged after the relevant date for lodgement, or which does not contain the information required by these Guidelines or is otherwise non-conforming in any respect;
- vary or amend the eligibility or assessment criteria;
- take into account any information from its own and other sources (including other Government agencies and other advisors);
- accept or reject any application, having regard to these Guidelines, the Eligibility Criteria, the assessment criteria or any other item, matter or thing which the Department considers relevant, including the limitations on the funds available for the MIQ Program;
- give preference by allocating weighting to any one or more of the Eligibility Criteria or assessment criteria over other criteria;
- seek clarifications or additional information from or provide clarifications or additional information to any applicant, or to negotiate or deal with or seek presentations or interviews from any applicant;
- conduct due diligence investigations in respect of any applicant and subject applications to due diligence, technical, financial and economic appraisals;
- require an applicant to clarify or substantiate any claims, assumptions or commitment contained in an application or provide any additional information;
- terminate further participation of any applicant in the application process;
- terminate or reinstate the MIQ Program or any process in the MIQ Program;
- not proceed with the MIQ Program in the manner outlined in these Guidelines, or at all;
- allow the withdrawal or addition of an applicant;
- take such other action as it considers in its absolute discretion appropriate in relation to the MIQ Program processes.

Where, under these Guidelines, it is stated that the Department may exercise a right or discretion or perform any act or omit to perform any act, then unless stated otherwise the Department may do so at its sole and absolute discretion and will not be required to act, or be restrained from acting, in any way or for any reason nor to take into account the interests of any third party (including an applicant).

### 6.2 No relationship

The Department's obligations regarding the application process are limited to those expressly stated in these Guidelines.

Subject to section 6.7, no contractual or legal relationship exists between the Department and an applicant or its clients in connection with the MIQ Program, these Guidelines or the application process.

An applicant, or its representatives:

- has no authority or power, and must not purport to have the authority or power to bind the Department, or make representations on behalf of the Department;
- must not hold itself out or engage in any conduct or make any representation which may suggest to any person that the applicant is for any purpose an employee, agent, partner or joint-venturer with the Department; and
- must not represent to any person that the Department is a party to the proposed project other than as a potential funder, subject to the competitive application process detailed in these Guidelines.

## 6.3 Participation at applicant's cost

Each applicant participates in the application process at its own cost and risk.

To the extent permitted by law, no applicant will have any claim of any kind whatsoever against the Department (whether in contract, tort (including negligence), equity, under statute or otherwise) arising from or in connection with:

- any costs, expenses, losses or liabilities suffered or incurred by the applicant in preparing and submitting its application (including any amendments, requests for further information by the Department, attendance at meetings or involvement in discussions) or otherwise in connection with the MIQ Program;
- the Department at any time exercising or failing to exercise, in its absolute discretion, any rights it has under or in connection with the MIQ Program; or
- any of the matters or things relevant to its application or the MIQ Program in respect of which the applicant must satisfy itself under these Guidelines.

Without limiting the foregoing, if the Department cancels or varies the MIQ Program at any time or does not select any applicant following its assessment of the applications, or does (or fails to do) any other thing referred to under clause 6.1 of these Guidelines, no applicant will have any claim against the Department arising from or in connection with any costs, expenses, losses or liabilities incurred by the applicant in preparing and submitting its application or otherwise in connection with or in relation to (whether directly or indirectly) the MIQ Program.

## 6.4 Non-exhaustive

These Guidelines do not contain all the information that applicants may require in reaching decisions in relation to whether to submit an application. Applicants must form their own views as to what information is relevant to such decisions.

Applicants must make their own independent investigations of the information contained or referred to in these Guidelines. Applicants must obtain their own independent legal, financial, tax and other advice in relation to information in these Guidelines, or otherwise made available to them, during the application process.

The Department makes no warranty or representation express or implied and does not assume any duty of care to the applicants that the information in these Guidelines or supplied in connection with the MIQ Program is accurate, adequate, current, suitable or complete, or that the information has been independently verified.

The Department accepts no responsibility whether arising from negligence or otherwise (except a liability that cannot lawfully be excluded) for any reliance or interpretation placed upon that information by applicants.

## 6.5 Intellectual property

Any intellectual property rights that may exist in an application will remain the property of an applicant or the rightful owner of those intellectual property rights. Any part of an application considered to contain intellectual property rights should be clearly identified by an applicant.

The applicant grants to the State (and will ensure relevant third parties grant) a non-exclusive, royalty free and irrevocable licence to use and reproduce the intellectual property for the purpose of administering the MIQ Program.

## 6.6 Law

These Guidelines are governed by the laws applicable in Queensland.

## 6.7 Acceptance

By submitting an application, each applicant:

- warrants to the Department that the information contained in its application is accurate and complete as at the date on which it is submitted and not by omission misleading, and may be relied on by the Department in determining whether to select the applicant for the MIQ program
- undertakes to promptly advise the Department if it becomes aware of any change in circumstances which causes the information contained in its application to become inaccurate or incomplete in a material respect
- acknowledges that the Department will rely on the above warranty and undertaking when evaluating the application
- acknowledges that the Department may elect to remove an applicant at any stage as a result of material changes to the information presented in its application
- acknowledges that the Department may suffer loss or damage if the applicant breaches the above warranty and undertaking
- is taken to have accepted these Guidelines, including these terms and conditions.



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