



Invest & Trade
WESTERN AUSTRALIA



Investment Attraction Fund Guidelines



Contents

1. Introduction.....	1
1.1. Background	1
1.2. Investment Attraction Fund	2
1.3. The Fund Guidelines	2
2. Financial Assistance	3
2.1. Financial Assistance Agreement.....	3
2.2. Ineligible costs	3
3. Application Process	4
3.1. Stage 1 - EOI	5
3.2. Stage 2 - Detailed Application.....	5
3.3. Detailed application assessment	6
3.4. Notification of outcomes	7
3.5. Key dates and times	7
4. Eligibility Criteria	8
4.1. Partnership Applications	9
5. Review Criteria.....	10
5.1. Mandatory criteria	10
5.2. Desirable criteria.....	13
6. Ready to Apply?	14
7. Further Information and Conditions.....	15
7.1. Media.....	15
7.2. Monitoring, evaluation and reporting.....	15
7.3. Freedom of Information, Confidentiality and Disclosure of Information.....	16
7.4. Privacy Statement.....	17
7.5. Intellectual Property	17
7.6. No Legal Relationship.....	17
7.7. Reservation of Rights	17
7.8. Exclusion of Liability	18
8. Glossary	19



1. Introduction

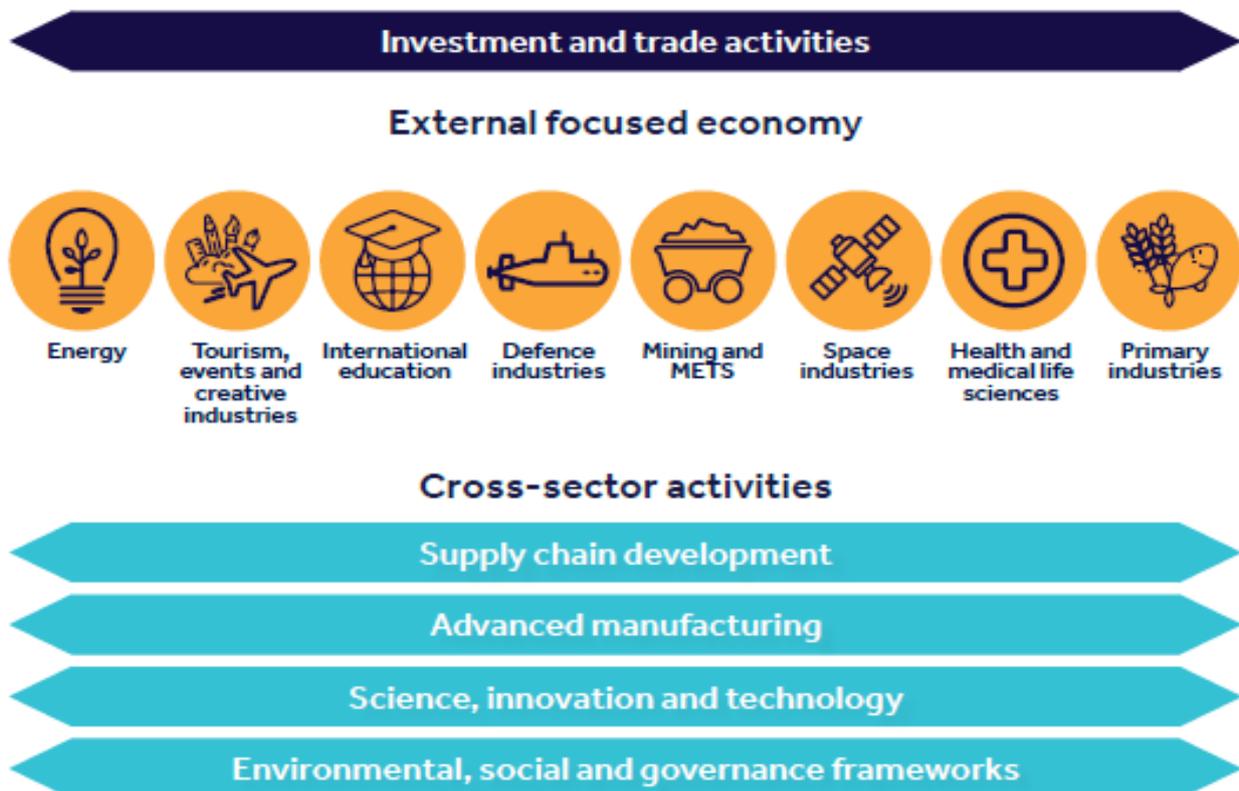
1.1. Background

In July 2019, the Government released [Diversify WA](#) to provide an economic development framework for the State. It sets out initiatives, actions and strategies that will contribute to achieving its vision for “a strong and diversified economy delivering secure, quality jobs through increased investment across a broad range of industries”. It also identifies priority sectors for strategic development that match Western Australia’s (WA) unique strengths with global trends to achieve growth across the economy.

The COVID-19 pandemic provided an opportunity to review the economic development framework presented in Diversify WA and how the State can best support the economy.

In October 2021, the WA Government released the revised [Diversify WA report](#), along with the [Diversify WA: Supply Chain Development Plan 2021-22](#) (the Plan), guiding government’s efforts to increase the participation of local businesses in more diversified domestic and global supply chains. The revised report includes 8 external-facing sectors together with four cross-sector activities that will improve value and productivity across multiple sectors of the external-facing economy as seen in Figure 1.

Figure 1. Priority sectors for strategic development in WA





Within the context of Diversify WA, the Plan aims to create a positive environment for industry to invest in supply chain activities by focusing on key enablers, including investment attraction.

1.2. Investment Attraction Fund

The Investment Attraction Fund (the Fund) seeks to encourage new investment that will create local jobs and contribute to a more diversified economy.

Successful applicants to the Fund will be eligible for:

- **Financial assistance** in the form of grants and other incentives, subject to a Financial Assistance Agreement (FAA).

Financial assistance in the form of equity financing is not available under the Fund.

Unsuccessful applicants to the Fund that demonstrate a meritorious application may be eligible for investment facilitation support and/or referral opportunities to other appropriate State sources of support and/or funding. Investment facilitation can include providing access to services, programs and initiatives for businesses looking to establish and grow in WA.

1.3. The Fund Guidelines

These Investment Attraction Fund Guidelines (the Guidelines) outline the application process for the Fund, and have been approved by the Minister for State Development, Jobs and Trade. The following should be noted:

- The Department of Jobs, Tourism, Science and Innovation (the Department) is responsible for administering the Fund on behalf of the State.
- These Guidelines should be read in conjunction with any funding announcements or updates from the State.
- These Guidelines and any discussions with State officers are for information purposes only and do not constitute advice.
- These Guidelines for the Fund may be varied or revoked at any time.



2. Financial Assistance

2.1. Financial Assistance Agreement

The amount of financial assistance made available to a successful applicant will be based on the successful application's proposal and proportionate to the State's assessment of value for money.

The State will determine financial assistance on a case-by-case basis up to a maximum of 50% of the total proposal cost or a maximum State contribution amount of \$5 million AUD, whichever is lower. The State reserves the right to consider proposals requesting financial assistance greater than \$5 million AUD and/or greater than 50% of the total proposal cost.

All successful applications involving financial assistance will be managed against key milestones within an FAA developed by the State.

2.2. Ineligible costs

It is important to note that funding will only be provided for costs determined to be eligible. The following will generally be considered **ineligible** unless otherwise agreed by the State and contracted under an FAA:

- contributions made 'in-kind'
- costs paid to related entities of the applicant or project Partner(s)
- expenditure incurred prior to the project commencement date
- project development costs such as early-stage feasibility studies, business case development, due diligence or proof of concepts
- costs for projects which have already, or will also receive funding, from the State
- statutory fees and charges and any costs associated with obtaining regulatory and/or development approvals
- ongoing costs for business operations, such as salaries and wages, lease and hire purchase agreements, licencing fees or banking fees
- costs that do not result in tangible economic return to the benefit of the State.



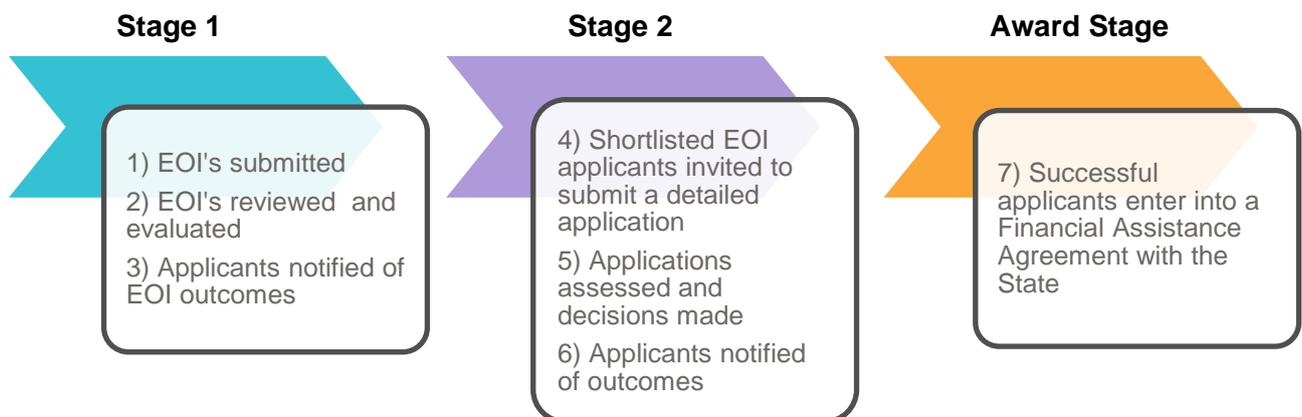
3. Application Process

A two-staged application process (the Process) provides a pathway for industry to submit investment proposals seeking financial assistance and investment facilitation support.

- **Stage 1** of the Process will seek Expressions of Interest (EOI) submissions to enable the Department to evaluate proposals, shortlisting eligible applications that demonstrate strong alignment with the review criteria.
- **Stage 2** of the Process invites one or more shortlisted applicants to progress to detailed application stage for assessment.
- **Award Stage** is subject to signing of a FAA between the State and the applicant.

The Process is outlined in Figure 2 below. All decisions made throughout the Process are at the sole discretion of the Department and/or the Minister.

Figure 2. Two-staged application process for the Fund





3.1. Stage 1 - EOI

The EOI stage provides an initial point of entry for local, interstate and international businesses seeking financial assistance and investment facilitation services. The EOI is an opportunity to demonstrate how the proposal will align with one or more of the following:

- demonstrate alignment with the Diversify WA framework and achieve outcomes against the State's broader economic objectives
- increase the competitiveness of WA industries in global and domestic supply chains
- leverage significant own-source and private sector investment
- leverage other sources of funding, including from the Australian Government, to maximise economic return to WA
- create jobs that attract skilled talent.

EOI submissions must meet the eligibility criteria and address the review criteria to be considered for shortlisting. A proposal that is unable to meet all review criteria may still be shortlisted if it demonstrates potential for high value returns to the State.

Shortlisted EOI submissions will be invited to submit a detailed application for assessment.

3.2. Stage 2 - Detailed Application

Shortlisted EOI submissions requesting financial assistance will be invited to complete a detailed application for assessment. In addition to meeting the eligibility and review criteria, the detailed application requires comprehensive information relating to all aspects of the proposal, including but not limited to:

- a comprehensive business and/or project plan, and risk assessment which clearly demonstrates feasibility and delivery. Project risks and risk mitigation strategies should be identified and included
- capital structure and financial viability such as financial modelling of the proposal over its lifecycle, over and above existing operations, with detailed supporting assumptions. This should also include an assessment of sustainability beyond the term of a financial assistance agreement
- the last 3 years of audited financial statements including the income statement, statement of financial position, statement of cash flows, statement of changes in equity, and notes to the accounts
- evidence of the business and corporate structure(s) including governance arrangements for the project
- evidence of commitments from other sources of funding for the proposed project



- market analysis including a description of the industry, current and future market potential and competition
- competitor analysis, State economic impact analysis, supply chain analysis, and value chain analysis
- evidence of technology transfer and innovation.

3.3. Detailed application assessment

The detailed application will be assessed against the review criteria. Subject matter experts and/or technical advisors will be consulted to ensure detailed applications receive an informed assessment.

Independent due diligence involving a comprehensive financial and performance assessment will be conducted for detailed applications prior to any decision to provide financial assistance.

Detailed applications will be assessed on their merits by a Governance Board, comprised of senior public servants and a diverse range of senior industry representatives, responsible for making recommendations of financial assistance to the financial delegate.

Applicants submitting detailed applications need to be aware of the following:

- Financial statements should separately disclose any financial assistance received in relation to the COVID-19 pandemic relevant to their domicile, such as JobKeeper (for Australian registered businesses) and applicable disaster relief payments.
- Financial modelling should either be project specific or demonstrate the incremental costs and benefits over and above existing operations.
- Applicants have 30 business days to submit the detailed application upon receiving notification of an invite to submit.
- Extensions may be considered in exceptional circumstances and at the Department's discretion. Late submissions without prior notification will not be accepted.
- It is recommended that applicants seek their own legal and/or financial advice before making an enquiry or proceeding with an application, or any formal offer of financial assistance.
- The State is not obliged to award assistance to an applicant, even if the applicant has been invited to make a detailed application.
- The Minister for State Development, Jobs and Trade or the Department may at any time amend or determine another process by which the Fund is to be allocated or not to proceed at all.



3.4. Notification of outcomes

Notification of outcomes throughout the Process will be sent to the registered email address provided in the EOI submission.

All decisions are final and made at the State's absolute discretion.

Feedback may be provided upon request at the conclusion of the Process.

3.5. Key dates and times

The following table outlines the indicative timeframe for the EOI stage. These are subject to change.

Activity	Timeframe
Process opens for EOI	9 March 2022
EOI submission deadline	8 weeks from EOI open
EOI assessment period	6 weeks from EOI submission deadline
Applicants informed of EOI outcome	July 2022



4. Eligibility Criteria

To be eligible for consideration, all documentation must be submitted in English and applicants must:

- 1) Be registered, or be eligible to register for an Australian Business Number (ABN).**
 - Businesses without an existing ABN, including foreign owned businesses, must apply or be in the process of applying for an ABN if their application is deemed successful.
 - Foreign-owned businesses are required to provide a unique business identification number as accepted in their domicile.
- 2) Be a legal entity, or partnered with a legal entity, with a proven trading history for the past 3 financial years as accepted in their domicile (as a minimum).**
 - Financial statements for the last 3 financial years must include:
 - Income Statement
 - Statement of Financial Position
 - Statement of Cash Flows
 - Statement of Changes in Equity
 - Notes to the Financial Statements (where applicable)
 - Audited financial statements are mandatory if an applicant is later invited to submit a detailed application.
- 3) Be able to provide a business plan and evidence that supports management, technical and financial capability to undertake the current proposal. This may also include evidence of completed or current projects of similar or greater size.**



4.1. Partnership Applications

Applicants may nominate Partner(s) to support the delivery of proposals. Key considerations include:

- The applicant submitting the application becomes the Primary Applicant.
- Primary Applicants must meet the eligibility criteria to be considered for shortlisting.
- A Primary Applicant undertakes the role of the lead Partner in respect of delivery.
- There must be a signed contractual arrangement in place between the Primary Applicant and the project Partner(s) and this must be provided in the EOI submission.
- Evidence of a contractual arrangement can consist of a contractual agreement or a Memorandum of Understanding that sets out details of the engagement and commitments, including financial contributions to be provided by the Primary Applicant and the Partner(s).
- If a Primary Applicant's application is successful, the Primary Applicant is responsible for entering into a FAA with the State and obligated to deliver on milestones and outcomes outlined in the FAA.



5. Review Criteria

Assessment against the review criteria provides an opportunity for the Panel to evaluate project significance to the State and determine the potential economic impact of the State's financial contribution.

5.1. Mandatory criteria

Applications need to demonstrate how the proposed project will meet the following:

Criteria	Additional Information
<p>1) Priority sector(s) and cross-sector activities</p>	<p>Alignment with one or more Diversify WA priority sectors:</p> <ul style="list-style-type: none"> • Energy • Tourism, events and creative industries • International education • Defence industries • Mining and mining equipment, technology and services (METS) • Space industries • Health and medical life sciences • Primary industries <p>Improves value and productivity in one or more cross-sector activities:</p> <ul style="list-style-type: none"> • Supply chain development • Advanced manufacturing • Science, innovation and technology • Environmental, social and governance frameworks
<p>2) Co-investment</p>	<ul style="list-style-type: none"> • Provides evidence of financial investment in the form of committed cash that matches or exceeds the financial assistance amount requested from the State, unless otherwise agreed. This can include financial investment from the applicant and/or its project Partner(s), the private sector, or financial institutions.



<p>3) Sustainable jobs growth</p>	<p>Meets at least one or more of the following:</p> <ul style="list-style-type: none"> • Creates new and ongoing jobs in WA without adversely affecting the existing workforce. Quality jobs are demonstrated by pay and benefits, job design, level of skill or training and future work prospects. • Provides upskilling opportunities for the existing WA workforce.
<p>4) Economic benefits</p>	<p>Meets at least one or more of the following:</p> <ul style="list-style-type: none"> • Provides evidence of alignment with medium to long-term global social, geo-political, economic and market trends. • Identifies and targets supply chain and/or value chain opportunities to achieve long-term economic benefits. For example, job creation, export potential and export revenue, output value, and other flow-on investment to WA. • Outlines potential size of the investment opportunity, including scale of outcomes within the industry. • Outlines areas for engagement with local business, including small and medium enterprises, to build local supply chains.
<p>5) Operational</p>	<ul style="list-style-type: none"> • Commences operations, subject to regulatory approvals, within 2 years of the execution of an FAA with the State unless otherwise agreed.
<p>6) Additionality</p>	<p>Provides evidence on how the State's financial assistance enhances the proposal to benefit the State, for example:</p> <ul style="list-style-type: none"> • Expedites the delivery, scale and benefits of the proposal by a number of years. • Delivers a greater scale of jobs and benefits than would otherwise be expected. • Addresses a funding gap and/or provides security in obtaining other sources of funding for example from the Australian Government, project lenders, equity partners and foreign investors. • Secures the establishment or relocation of headquarters into WA. • Secures investment if the proposal is contestable with other jurisdictions.



<p>7) Investment ready</p>	<p>Provides evidence of investment readiness which includes some or all of the following:</p> <ul style="list-style-type: none">• A business and/or project plan and risk register which clearly demonstrates project feasibility and delivery, including identified project risks and strategies to manage these risks.• Demonstrates capabilities and capacity to execute the proposed project.• Project viability including feasibility studies and due diligence.• Commercial viability and sustainability in the absence of any financial incentive.• Financial modelling and/or budgeting for the expected project lifecycle, including an assessment of project sustainability beyond the term of agreed financial assistance.• Identifies pathway(s) to finance the proposed project.• A history of raising private sector funding and/or other sources of funding, including current submissions with a government body.• Governance arrangements in place to manage the project.• Commitment from the board or other senior levels of appropriate management to proceed further with project planning and implementation.• Market analysis that indicates sufficient demand for the proposed outputs, including advanced negotiations with customers in the form of purchase or offtake agreements.• Competitor analysis for the proposed project.
-----------------------------------	--



5.2. Desirable criteria

Strong applications will also demonstrate how the proposed project meets one or more of the desirable criteria fields.

Criteria	Additional Information
8) Skills attraction and development	<ul style="list-style-type: none"> • Attracts high quality skills to WA, measured by salary levels in accordance with defined areas of skill shortage. • Attracts entrepreneurs, technologists and enterprises to WA to leverage their ideas, talent and networks.
9) Co-contribution	<ul style="list-style-type: none"> • Provides evidence of seeking other sources of funding from the Australian Government (past and current).
10) Location	<p>Leverages locations of strategic importance such as:</p> <ul style="list-style-type: none"> • Regional WA. • Areas identified within the Strategic Industrial Areas (SIAs) and/or General Industrial Areas (GIAs). • Areas supporting existing hubs or precincts, and the development of future hubs or precincts. • Relevant areas that provide common user infrastructure.



6. Ready to Apply?

If you are ready to apply, applicants should:

1. Read this Guidelines document carefully.
2. Read the [Diversify WA report](#) and the [Diversify WA: Supply Chain Development Plan 2021-22](#).
3. Develop and submit the EOI through the following link:
<https://iaf.smartygrants.com.au>.

If necessary, please contact Invest and Trade WA at iaf@jtsi.wa.gov.au or our [International Investment and Trade Office Network](#) to discuss the Process.

For technical assistance relating to the submission of the form, please contact SmartyGrants using their email service@smartygrants.com.au. The team at SmartyGrants will not be able to assist with application responses.



7. Further Information and Conditions

7.1. Media

All media enquiries or public announcements relating to the Fund and its Process are coordinated and managed by the Department's Media team. Where possible, all media and communications about investments will be undertaken jointly with successful applicants. Recipients must:

- Seek and obtain the Department's approval before making public statements, or contacting or responding to the media, regarding successful or unsuccessful applications through the Fund.
- Provide the Department with at least 25 business days' notice of any proposed media event.
- Provide any proposed media or public statement to the Department for approval prior to its release as well as make any changes or amendments to the form, content or manner reasonably requested by the Department.

7.2. Monitoring, evaluation and reporting

Successful applicants will be required to cooperate with an evaluation that is undertaken during and/or after completion of the investment. Successful applicants will also be required to submit progress and completion reports, assess the progress of the investment against milestones, outputs and outcomes, and provide evidence of completion.

After completion, applicants must submit annual evaluation reports assessing success in meeting stated objectives, outputs and outcomes. Depending on the significance, these evaluation reports may be required for up to 3 years following completion of the funded investment or assistance.

Successful applicants may be required to contribute information on outcomes, including longer-term impacts beyond completion, for use in program evaluation reviews and marketing or media materials. It is the responsibility of successful applicants to put in place adequate collection arrangements to capture appropriate data relating to outputs and outcomes.

These arrangements will assist the State to undertake a robust evaluation of the Fund.



7.3. Freedom of Information, Confidentiality and Disclosure of Information

Applicants must keep confidential any dealings with the State (including the Department) about their application, including any financial assistance offered, but may make disclosures to advisors who are under an obligation of confidence or if required by law.

The State reserves the right to publicly disclose the names of applicants, general information about investments and the assistance provided, and details about the anticipated economic outcomes and benefits to the State. The State may also disclose confidential information of, or provided by, the applicant:

- if required to be disclosed by law
- to its advisors, consultants and contractors
- to any government agency.

Applicants are informed that the Department is subject to the *Freedom of Information Act 1992 (WA)*, which provides a general right of access to records held by State agencies and local governments.

Applicants are advised that information pertaining to the receipt of State financial assistance will be tabled in the WA Parliament. This information could include the name of the recipient, the amount of the assistance, the name of the investment and a brief description thereof. This could result in requests for more details to be released publicly. Applicants should clearly identify all commercial-in-confidence material, noting that investment name, Primary Applicant's name, assistance amount, total cost and brief investment description will be published for all successful applicants.

Successful applicants should be aware that their organisation's name, investment name and amount of funding approved will appear on the Department's website.

The Department (including the State) reserves the right to discuss an application with a third party if it is deemed necessary to assist in assessing the EOI submission or detailed application.

State agencies are subject to legislative and administrative accountability and transparency requirements of the State, including disclosures to the WA Parliament and its Committees. As such, applicants should be aware that disclosure of information outside of State agencies may occur if the information is required or authorised to be disclosed by law.



7.4. Privacy Statement

Information provided by applicants or collected by the Department in relation to an applicant or their EOI submission and/or detailed application may be used in the administration of the Fund and in the assessment of their EOI submission and/or detailed application.

The Department will store personal information collected in this Process, supporting documentation and any Fund administration, monitoring and evaluation activities in compliance with its obligations under the *Privacy Act 1988* (Cth) and the Australian Privacy Principles.

7.5. Intellectual Property

Any intellectual property rights that may exist in the EOI submission and/or detailed application will remain the property of the applicant or the rightful owner of those intellectual property rights.

Any part of the EOI submission and/or detailed application considered to contain any intellectual property rights should be clearly identified by the applicant. The applicant grants to the Department (and will ensure that relevant third parties grant) a permanent, non-exclusive, irrevocable licence to use, communicate and reproduce the intellectual property in the EOI submission and/or detailed application for the purpose of administering the Fund excluding commercial use.

7.6. No Legal Relationship

These Guidelines, the submission of an EOI and/or detailed application, and any communications between the applicant and the State does not create any legal relationship, an offer to enter into any contract, or a process contract or any contract-like obligation between the applicant and the State.

Neither these Guidelines nor any other document shall create or give rise to any legal or equitable rights or obligations; such rights or obligations shall only come into being if and when a legally binding FAA is formally executed between the applicant and the State.

7.7. Reservation of Rights

These Fund guidelines are approved under section 10 of the Industry and Technology Development Act 1998.

The Department (inclusive of the State) reserves the right at its absolute discretion to administer the Fund in such manner as it sees fit and may:

- change the scope, structure, purpose, processes, procedures, terms of participation in and timing of the Process including any aspect of these Guidelines such as the eligibility and review criteria
- request additional information or clarification from any applicant or conduct due diligence as outlined in these Guidelines
- take into account any information from its own and other sources (including State agencies or advisors)
- accept or reject any application, having regard to these Guidelines or any other matter which the State considers relevant, including limitations on the funds available under the Fund
- exercise a right, discretion, perform any act or omit to perform any act under these Guidelines
- terminate the participation of any applicant in the Process
- at its absolute discretion, exclude the relevant application from the assessment process at any time, if the applicant has made any false or misleading statements
- exclude an application from consideration where the Department believes it has been compiled using information improperly or unlawfully obtained from the department
- terminate or not proceed with the Fund in the manner outlined in these Guidelines, or at all.

7.8. Exclusion of Liability

Applicants are wholly responsible for their own costs and expenses whatsoever incurred in preparing their application and in any way associated with developing, preparing and submitting the EOI submission and/or detailed application (irrespective of whether or not the EOI submission and/or application proceeds or is accepted or rejected).

Without limiting the above, the applicant releases the Department (including the State) from all liability in respect of the Process. The Department is not liable for any loss, expense, cost or damage incurred by the applicant in any way including, but not limited to:

- the preparation or submission of the EOI and/or detailed application
- any exercise, or performance of, or failure of the Department to exercise or perform any rights, obligations, or duties under these Guidelines
- otherwise in connection with these Guidelines or the Process.



8. Glossary

The following terms are defined for the purposes of this document.

Term	Definition
applicant	The applicant/s identified in the proposal and detailed application process, including the Primary Applicant if applicable.
application	An application (or relevant part of an application) to the Investment Attraction Fund including a proposal and supporting/additional information.
AWST	Australian Western Standard Time
Department	The Department of Jobs, Tourism, Science and Innovation
EOI	Expression of Interest
FAA	A legally binding Financial Assistance Agreement that outlines non-negotiable terms, conditions, obligations and reporting requirements.
Fund	The Investment Attraction Fund
Guidelines	These guidelines for the Investment Attraction Fund.
Invest and Trade WA	The division within the Department responsible for attracting investment and promoting trade for WA.
Minister	The Western Australian Government Minister for State Development, Jobs and Trade.
Partners	Other entities assisting in delivery, apart from the Primary Applicant named in the proposal or in the application.
Primary Applicant	The proposal lead who will be responsible for entering into an FAA with the State and for meeting the obligations with respect to milestones and outcomes contained in the FAA.
Process	The EOI and detailed application process for the Investment Attraction Fund.
review criteria	The mandatory and desirable criteria of the Investment Attraction Fund.
State	The State of Western Australia.
WA	Western Australia