



SME Export Marketing Fund

Guide to Application

Objective

The SME Export Marketing Fund (EMF) aims to encourage small and medium enterprises (SMEs) to expand their markets outside Hong Kong by providing financial assistance to SMEs for participation in export promotion activities.

Eligibility

2. An enterprise¹ applying for a grant under EMF must fulfil the following requirements:
 - (i) It must be registered in Hong Kong under the Business Registration Ordinance (Cap. 310).
 - (ii) It must meet the Government's definition of an SME, i.e. if it is engaged in manufacturing business, it must employ fewer than 100 persons² in Hong Kong; and if it is engaged in non-manufacturing business, it must employ fewer than 50 persons in Hong Kong.
 - (iii) It must have substantive business operations in Hong Kong at the time of making the application. An enterprise holding a shell business registration or having its main business operation outside Hong Kong will not be regarded as having substantive business operations³ in Hong Kong.
 - (iv) If it has previously received EMF grants, the cumulative amount of grants received must not exceed the prevailing cumulative grant ceiling. Applicant enterprises which have similar business registration details (e.g. nature of business, address, contact numbers, shareholder/directorship) will be treated as connected enterprises. For the purpose of the cumulative grant ceiling, connected enterprises are treated as if they are one enterprise, i.e. the cumulative amount of grants received by the connected enterprises concerned are aggregated and must not exceed the cumulative grant ceiling.

¹ For the purpose of EMF, "enterprise" refers to a legal entity which is engaged in any form of business for the purpose of gain. Non-profit-making or non-profit-distributing organisations are not eligible.

² "Number of persons employed" shall include proprietors/partners/shareholders actively engaged in the work of the business, and all salaried employees of the enterprise at the time of submitting the application. Those employees, including both full-time and part-time salaried personnel, no matter permanent or temporary, must be directly paid by the enterprise.

³ Trade and Industry Department may request the applicant enterprise to provide relevant documents to prove that it has substantive business operations in Hong Kong at the time of making the application. Please refer to [Appendix 1](#) for the vetting considerations and examples of supporting documents.

- (v) It must not be the organiser/co-organiser/service provider or a related company of the organiser/co-organiser/service provider of the export promotion activity covered by the application.

3. Trade and Industry Department (TID) reserves at all times the absolute right to determine the eligibility of an enterprise applying for EMF grants.

Funding Scope

4. EMF provides grants to SMEs for their participation in the following export promotion activities to promote their own products and/or services. Such export promotion activities/platforms must be organised/operated by organisations with a good track record⁴:

- (i) Trade fairs/exhibitions outside Hong Kong.
- (ii) Business missions outside Hong Kong⁵.
- (iii) Local trade fairs/exhibitions which mainly target at markets outside Hong Kong (Please refer to Appendix 2 for more detailed requirements).
- (iv) Placing advertisements on printed trade publications which mainly target at markets outside Hong Kong.
- (v) Export promotion activities (such as placing advertisements, keyword search, listing product information, setting up or enhancing online shop, etc.) which are conducted through electronic platforms/media⁶ and which mainly target at markets outside Hong Kong.
- (vi) Setting up or enhancement of a corporate website/mobile application of the applicant enterprise which mainly targets at markets outside Hong Kong⁷.

⁴ In considering whether an organiser/operator has a good track record, TID will make reference to various factors, including its business nature, size of business (such as number of employees), years of establishment, number of years of experience in organising/operating relevant activities/platforms, the nature/type, number and scale of similar activities/platforms previously organised/operated, organiser's/operator's credibility, feedback of the trade on relevant activities/platforms organised/operated and participating enterprises of relevant activities/platforms, etc.

⁵ The itinerary of business missions must include one-on-one business matching sessions for enterprises to meet with foreign buyers. Business mission comprises visits and tours only will not be considered.

⁶ Electronic platforms/media include trade portals, search engines, social media and electronic publications. In considering whether an electronic platform/media mainly targets at markets outside Hong Kong, TID will make reference to various factors, including how the electronic platform/media can facilitate the applicant enterprise in export promotion, the domain name of the platform/media, type of language used, content, function, type of target visitors and geographical distribution of visitors/downloads, etc. In general, for a platform/media to be considered as mainly targeting at markets outside Hong Kong, the number of local visitors/downloads of the platform/media should not exceed 30% of its total number of visitors/downloads.

⁷ In considering whether a corporate website/mobile application mainly targets markets outside Hong Kong, TID will make reference to various factors, including how the website/mobile application can facilitate the applicant enterprise's export promotion, type of language used, content, function and proof of the applicant enterprise's export business, etc.

5. An enterprise may seek preliminary advice from TID on the eligibility of a particular export promotion activity for an EMF grant. The enterprise should provide in writing to TID information on the activity in question (including the name of the activity and platform/media⁸, objective and scope of the activity, target participants, programme details and date of the activity, etc.). TID will make a preliminary assessment on the eligibility of the activity in question and provide a written response. However, this preliminary assessment is not an approval for a EMF grant related to the activity. Any subsequent change in the nature, scope or other arrangements of the activity may affect its eligibility for EMF. Applications should be submitted after completion of the activity together with the requisite supporting information (see paragraph 17 below). Previous approval for a grant in relation to a particular activity does not guarantee that the same activity will be eligible for a grant in future. TID will evaluate each activity and application having regard to the prevailing circumstances. TID reserves at all times the absolute right to review the eligibility of any activity.

Extra Funding Conditions

6. Applicant enterprises participating in eligible export promotion activities must also comply with the following conditions in order to be eligible for EMF grants:

- (i) Applicant enterprises must participate in export promotion activities as Hong Kong enterprises, and must display their full company name and Hong Kong contact information (e.g. address, telephone number, fax number) on the exhibitors' list, delegation list, advertisements, electronic platforms/media, and website/mobile application.
- (ii) As far as trade fairs/exhibitions are concerned, applicant enterprises participating in such activities as booth exhibitors must be directly represented by their proprietors/partners/shareholders, and/or Hong Kong-based salaried employees for the whole period of the activity concerned. Participation by any other means, including outsourcing or subcontracting to a third party, will not be accepted.
- (iii) As far as business missions are concerned, applicant enterprises must participate in such activities as delegation members. Applicant enterprises must be directly represented by their proprietors/partners/shareholders, and/or Hong Kong-based salaried employees for the whole period of the activity concerned. Participation by any other means, including outsourcing or subcontracting to a third party, will not be accepted.
- (iv) As far as setting up/enhancement of the corporate website of an applicant

⁸ Applicant enterprises may obtain information on activities and platforms/media which have been funded by the EMF in the past 12 months from the "SME Export Marketing Fund" webpage (www.smefund.tid.gov.hk/emf/eng).

enterprise is concerned, the domain name of the website must be owned by the applicant enterprise. As for setting up/enhancement of the corporate mobile application, the application must be published by the applicant enterprise on app store(s) and available for download in overseas markets. The website/mobile application under application must contain information about the applicant enterprise, its products or services, as well as its full company name and Hong Kong contact information. The service provider for the setting up/enhancement of the website/mobile application must be an information technology company with a good track record⁹.

- (v) The activity itself must be related to the business of the applicant enterprise and the applicant enterprise must promote only its own products/services in the activity concerned.

7. TID reserves at all times the absolute right to determine whether an application has met the conditions for EMF grants.

Expenditure items eligible for EMF

8. For enterprises participating in export promotion activities, only the following expenditure items are eligible for EMF grants:

- (i) Rental fee for exhibition booth charged by organiser/co-organiser for trade fairs/exhibitions, or rental fee charged by organiser/co-organiser for other forms of participation for exhibits to be displayed at a fixed location throughout the whole period of the activity concerned including showcase, table-top display and mannequin/garment rack, if the applicant enterprise is listed as an exhibitor on the exhibitors' list with its full company name and Hong Kong contact details.
- (ii) Construction, set-up and design fee of booth, transportation expenses for the components of booth and exhibits (but excluding goods intended for sales purpose), and rental charges for booth furniture for trade fairs/exhibitions. Expenses for purchasing reusable items and the operation costs of booth (such as salaries of employees) will not be funded.
- (iii) Participation fee charged by organiser/co-organiser for taking up a speaking

⁹ In considering whether a service provider has a good track record, TID will make reference to various factors, including its business nature, size of business (such as number of employees), years of establishment, number of years of experience in providing the relevant services, the nature/type, number and scale of similar services previously provided, credibility of the service provider, feedback of the trade on relevant services provided, and enterprises that have used the relevant services.

- session at trade fairs/exhibitions by booth exhibitors at the activity concerned¹⁰.
- (iv) Fee for placing advertisement in the catalogue of a trade fair/exhibition and fee for printing of brochures/leaflets (excluding souvenirs) bearing the full company name of the applicant enterprise and the activity concerned; those brochures/leaflets must be solely for use in that activity.
 - (v) Fee charged by organiser/co-organiser for non-exhibitors of a trade fair/exhibition to place on-site printed advertisements¹¹ including hanging banner, poster and floor sticker at a fixed location inside the contracted trade fair/exhibition venue throughout the whole period of the activity concerned. The on-site printed advertisement must show the full company name and Hong Kong contact information of the applicant enterprise.
 - (vi) Participation fee of business mission charged by organiser/co-organiser.
 - (vii) Travelling expenses of the proprietors/partners/shareholders and/or Hong Kong-based salaried employees of the applicant enterprise participating as booth exhibitors or mission delegates incurred between Hong Kong and the city where the activity takes place, but excluding expenses for in-town transportation and travelling expenses not related to the participation of the activity concerned. In general, only travelling expenses incurred 5 days before the start of the activity to 5 days after the end of the activity are considered as related to the participation of the activity concerned.
 - (viii) Hotel accommodation expenses of the proprietors/partners/shareholders and/or Hong Kong-based salaried employees of the applicant enterprise participating as booth exhibitors or mission delegates incurred during the period of the activity concerned, but excluding expenses of stay not related to the participation of the activity concerned. In general, only hotel accommodation expenses incurred 2 days before the start of the activity to 2 days after the end of the activity are considered as related to the participation of the activity concerned.
 - (ix) Fee for placing advertisement in printed trade publications which mainly target at markets outside Hong Kong.
 - (x) Fee for placing advertisement and keyword searching on electronic platforms/media.
 - (xi) Non-recurrent fee for product information listing for sales purpose, setting up/enhancing and promoting online shop on electronic platforms/media. Expenses related to the operation and sales (such as fees for daily maintenance service of online shop, salaries of employees related to daily operation of the online shop, commission based on sales volume, etc.) will not be funded.
 - (xii) Non-recurrent fee for setting up/enhancing the corporate website/mobile application of the applicant enterprise. Expenses related to the operation and

¹⁰ Including exhibition-cum-conference in which the applicant enterprise takes up a speaking session at the conference plus staging a booth at the exhibition throughout the whole period of the activity concerned. The speaking session must be offered by the organiser of the subject trade fair/exhibition.

¹¹ The on-site printed advertisement location must be offered by the organiser of the subject trade fair/exhibition.

sales (such as fees for daily maintenance service of the website/mobile application, salaries of employees related to daily operation of the website/mobile application, commission based on sales volume, etc.) will not be funded.

9. Only fees paid by an applicant enterprise¹² to the organiser/co-organiser/relevant operator/service provider of an export promotion activity are eligible for EMF grants. Fees paid by any third party on behalf of an applicant enterprise, regardless of its relationship with the applicant enterprise, are not eligible for EMF grants. Any expenses that may be refunded by the organiser/co-organiser/operator/service provider or other organisations/parties of the activity concerned (e.g. refundable tax and deposits for participation in the activity) are also not eligible for EMF grants.

10. If necessary, TID may require an applicant enterprise to provide additional documents (e.g. copy of bank records/credit card statements/bank cheque/cashier order/telegraphic transfer records showing the full company name of the applicant enterprise) to substantiate full payment of the expenses incurred at the activity concerned. TID reserves at all times the absolute right to determine whether a particular expenditure item is eligible for EMF grants.

11. If the expenditure items covered by an application are paid in a currency other than Hong Kong Dollars, TID reserves at all times the absolute right to use prevailing market exchange rates, as it deems fit, to determine the equivalent amount of the expenditure in Hong Kong Dollars. TID will not be liable for any discrepancy, due to fluctuation of exchange rate, between the actual amount of expenses in Hong Kong Dollars incurred by the applicant and the amount of EMF grant offered.

Grant

Maximum Grant per Application

12. Each application should cover expenditure related to one export promotion activity only. The maximum amount of grant for each successful application will be 50% of the total approved expenditure incurred by the applicant enterprise or \$100,000, whichever is the less.

Maximum Cumulative Grant per Enterprise

13. There is no limit on the number of applications by an enterprise for EMF grants. However, each enterprise may receive EMF grants up to a cumulative limit of \$400,000 only.

¹² But including expenses paid by sole proprietor/partners/shareholders/Hong Kong-based salaried employees on behalf of the applicant enterprise, where such expenses have been reimbursed by the applicant enterprise.

14. Applicant enterprises may obtain online a full record of their applications and available grant balance under the EMF by keying in their Business Registration numbers and any one of its application numbers via the “Enquiry on Previously Approved Applications” and “Applicant’s Available Grant Balance” functions on the “SME Export Marketing Fund” webpage (www.smefund.tid.gov.hk/emf/eng).

Application Procedure and Process

15. Enterprises should submit an application for grant **within 60 calendar days** after the completion date of the trade fair or exhibition or business mission, the issue date of the printed trade publication containing the advertisement, the completion date of the relevant contract of the export promotion activity conducted through an electronic platform/media, or the completion date of the relevant project on setting up/enhancing the corporate website/mobile application of the applicant enterprise. Applications should be submitted either by post or in person to TID’s “SME Export Marketing Fund Section”. Applicant enterprises should note that it is their responsibility to ensure that their applications are received by TID before the stipulated deadline. **Late submission of an application will not be accepted.** In this connection, **applicant enterprises should take note of the lead-time required for and the risk involved in submitting applications by post.** Local calendar (i.e. Hong Kong time) will be used for determining the deadline regardless of whether the activity concerned is held in Hong Kong. In case the deadline for submission falls on a Saturday, Sunday or public holiday, applicant enterprises should ensure that their application is properly received by TID on the working day immediately before the deadline. Otherwise the application will be regarded as late submission.

16. “SME Export Marketing Fund Section Service Counter” of TID receives application at the following address and hours:

Address:

Room 1301 (EMF), 13/F, Trade and Industry Tower, 3 Concorde Road, Kowloon City, Hong Kong

Hours for receiving applications:

Monday to Friday: 0845 to 1230 and 1330 to 1745
(Lunch break from 1230 to 1330)

Closed on Saturdays, Sundays and public holidays.

17. Applicant enterprises should submit the following documents for each export promotion activity concerned:

- (i) A duly completed application form¹³.
- (ii) A copy of a valid Business Registration Certificate of the applicant enterprise.
- (iii) (a) For unlimited company: Certified Extract/Electronic Extract of Information on the Business Register, i.e. Form 1(a) or Form 1(c) of the Business Registration Office, issued within the past 2 years; or
(b) For limited company: full copy of the most recent Annual Return (i.e. Form NAR1) or Incorporation Form (i.e. NNC1) of the Companies Registry.
- (iv) A copy of a valid Hong Kong Identity Card or Passport of the person signing the application form for and on behalf of the applicant enterprise.
- (v) **Original and a copy of each receipt** in relation to payments made by the applicant enterprise for declared expenditure items, plus a copy each of the relevant invoices/quotations/contracts (showing detailed contact information of the issuing organisation). The name of the payer shown on the receipt(s) must be the same as the name of the applicant enterprise¹⁴.
- (vi) A completed Additional Declaration Form¹⁵ if there is more than one branch listed on the applicant enterprise's Business Registration.

For applications in relation to participation in **trade fairs/exhibitions**, the following supporting documents should also be submitted:

- (vii) Information pertaining to the trade fairs/exhibitions, including name of the organiser, activity name and date of the activity, etc.
- (viii) Exhibitors' list showing clearly the full company name of the applicant enterprise, booth/stand number and Hong Kong contact details.
- (ix) Photos of exhibition booth/other form of participation showing clearly the exhibitor's full name (which should be the same as the full name of the applicant enterprise), booth number, all exhibits and the complete layout of the booth/other form of participation.
- (x) Evidence to substantiate the applicant enterprise's full participation in the activity (such as exhibitor's badge, travelling and accommodation proofs in

¹³ Application form can be obtained free of charge from TID or downloaded from the "SME Export Marketing Fund" webpage (www.smefund.tid.gov.hk/emf/eng). Applicant enterprises may also make photocopy of the application form for use.

¹⁴ Relevant receipts should show the full name of the applicant enterprise. For travelling expenses incurred by the sole proprietor/partners/shareholders/Hong Kong-based salaried employees of the applicant enterprise participating in an eligible activity outside Hong Kong to and from the city of activity and their accommodation expenses during the period of the activity concerned at the city of activity, relevant receipts showing the full name of eligible representatives to the activity will also be considered.

¹⁵ Additional Declaration form can be obtained free of charge from TID or downloaded from the "SME Export Marketing Fund" webpage (www.smefund.tid.gov.hk/emf/eng). Applicant enterprises may also make photocopy of the declaration form for use.

respect of proprietors/partners/shareholders/Hong Kong-based salaried employees participating in activities outside Hong Kong. Travel records of the parties concerned may be requested).

- (xi) Evidence showing that participants of the activity are the proprietors/partners/shareholders/Hong Kong-based salaried employees of the applicant enterprise (such as Mandatory Provident Fund records of the month when the activity is conducted, employment contract, salary payment record, and Employer's Return of Remuneration and Pensions for the Inland Revenue Department).
- (xii) For reimbursement of transportation expenses for exhibition booth components/exhibits (not for sales purpose), delivery documents issued by transportation companies to applicant enterprise showing clearly the full name and contact information (e.g. address and contact number) of transportation companies, full company name of the applicant enterprise, the transportation date(s), address of goods collection and delivery, and types and quantity of the goods.
- (xiii) For reimbursement of participation fee for a speaking session, an **original** copy of the agenda/program of the speaking session issued by the organiser showing the name of the speaker, the full company name of the applicant enterprise and topic of the presentation; photo showing clearly the name of the activity, the speaker in the speaking session with the target audience and the topic of the presentation; and a copy of the presentation material of the speech. The speaker must be one of the proprietors/partners/shareholders/Hong Kong-based salaried employees of the applicant enterprise. The invoice/contract provided must contain a clear breakdown showing the participation fee for the speaking session.
- (xiv) For reimbursement of advertising expenses for the catalogue and/or printing expenses of the brochure/leaflet of trade fairs/exhibitions, an **original** copy of the catalogue/brochure/leaflet concerned.
- (xv) For reimbursement of advertising expenses for placing an on-site printed advertisement, photos certified by the organiser showing clearly the full view of the printed advertisement, the full company name of the applicant enterprise, location of the printed advertisement concerned and the name of the activity; and a floor plan showing the location of the printed advertisement.
- (xvi) For reimbursement of travelling expenses, flight itinerary issued by airline/travel agency to the applicant enterprise (with contact details of the airline/travel agency) and other relevant supporting information as required (such as boarding passes, travel records of the representatives concerned, etc.). Travelling expenses will not be considered for participation in forms other than exhibition booth.
- (xvii) For reimbursement of hotel accommodation expenses, a copy of hotel voucher/guest folio (showing clearly the address and telephone/fax number of the hotel, guest name(s) which should be the same as those listed on identity

documents or passports, number of room(s) occupied, check in/out dates and room rates, etc.). If there are accommodation services recommended by the organiser of the export promotion activity concerned, information of the charges of such accommodation services should be submitted. The grant offered to applicant enterprise for expenses on accommodation arranged by itself would not exceed the grant offered to the applicant enterprise if it were to use the accommodation services recommended by the organiser of the activity concerned. Hotel accommodation expenses will not be considered for participation in forms other than exhibition booth.

For applications involving participation in *business missions*, the following supporting documents should also be submitted:

- (xviii) Information pertaining to the business missions, including name of the organiser, activity name, date of the activity, final itinerary, etc.
- (xix) The finalised agenda of the one-on-one business matching sessions with overseas buyers issued by the organiser.
- (xx) Records and photos of matching sessions (showing clearly the full company name of applicant enterprise and participating representatives), and the name cards of overseas buyers collected during the sessions.
- (xxi) Evidence to substantiate the applicant enterprise's full participation in the activity (including delegation list showing the full company name of the applicant enterprise with Hong Kong contact details; and travelling and accommodation proofs in respect of proprietors/partners/shareholders/Hong Kong-based salaried employees participating in the activity. Travel records of the parties concerned may be requested).
- (xxii) Evidence showing that participants of the activity are the proprietors/partners/shareholders/Hong Kong-based salaried employees of the applicant enterprise (such as Mandatory Provident Fund records of the month when the activity is conducted, employment contract, salary payment record, and Employer's Return of Remuneration and Pensions for the Inland Revenue Department).
- (xxiii) For reimbursement of travelling expenses, flight itinerary issued by airline/travel agency to the applicant enterprise (with contact details of the airline/travel agency) and other relevant supporting information as required (such as boarding pass, travel records of the representatives concerned, etc.).
- (xxiv) For reimbursement of hotel accommodation expenses, a copy of hotel voucher/guest folio (showing clearly the address and telephone/fax number of the hotel, guest name(s) which should be the same as those listed on identity documents or passports, number of room(s) occupied, check in/out dates and room rates, etc.). If there are accommodation services recommended by the organiser of the activity concerned, information of the charges of such accommodation services should be submitted. The grant offered to applicant enterprise for expenses on accommodation arranged by itself would not exceed

the grant offered to the applicant enterprise if it were to use the accommodation services recommended by the organiser of the activity concerned.

For applications involving *advertisements in printed trade publications*, the following supporting document should also be submitted:

- (xxv) **Original** trade publication containing the advertisement concerned.

For applications involving *export promotion activities conducted through electronic platforms/media*, the following supporting documents should also be submitted:

- (xxvi) Printout of relevant activity with date of printing (such as website containing the advertisement, results of keyword search, website of the online shop) showing the content of the activity including the Hong Kong contact of the applicant enterprise. If the application involves enhancement of an online shop, a printout of the online shop before the enhancement(s) is also required.
- (xxvii) A copy of the service contract of the relevant activity showing the activity period and other details, e.g. contact information of the operator of the relevant electronic platform/media and payment details. If the contract is issued by an agent/representative, the applicant enterprise should provide supporting documents issued by the operator of the electronic platform/media concerned to prove that the agent/representative is duly authorised.
- (xxviii) Proof on completion of the relevant activity (such as completion report and invoice issued by the operator of the relevant electronic platform/media).
- (xxix) Statistics on the geographical distribution of visitors/downloads on the relevant electronic platform/media covering the period of the activity issued by the operator of the platform/media concerned.
- (xxx) Payment record showing identity of the payer and payee (such as copy of bank records/credit card statements/bank cheque/cashier order/telegraphic transfer records showing the full company name of the applicant enterprise).

For applications involving setting up/enhancing the corporate website or mobile application of the applicant enterprise, the following supporting documents should also be submitted:

- (xxxix) Written quotations¹⁶ obtained prior to the award of contract if the project price is over HK\$2,000. The lowest conforming quotation should have been chosen unless otherwise justified by the applicant enterprise.
- (xxxixii) Printout of the relevant webpages or screen dumps of the relevant mobile applications (with date of printing) showing the applicant enterprise's full company name, products/services provided, as well as Hong Kong contact information. If the application involves enhancement of website/mobile application, a printout of the relevant webpages or screen dumps before the enhancement(s) is also required.
- (xxxixiii) Registration details of the relevant website provided by the service provider for website hosting and domain name registrant. In case of mobile application, details of the publisher of the relevant mobile application, as well as the date of publish and areas/countries available for download on app store(s) are required.
- (xxxixiv) Contract for the setting up/enhancement of the website/mobile application showing company information of the service provider with details of the services provided and breakdown of fees charged.
- (xxxixv) The final user acceptance test report on the website/mobile application endorsed by the applicant enterprise, with information on project completion date.
- (xxxixvi) Payment record showing identity of the payer and the payee (such as copy of bank records/credit card statements/bank cheque/cashier order/telegraphic transfer records showing the full company name of the applicant enterprise).

18. For fees paid by the proprietors/partners/shareholders/Hong Kong-based salaried employees of the applicant enterprise on behalf of the applicant enterprise and reimbursed by the applicant enterprise, the applicant enterprise has to submit the payment and repayment records¹⁷ (e.g. copy of bank records/credit card statements showing the full name of the account holder and relevant transactions showing the full company name of the applicant enterprise). If the payer is a Hong Kong-based salaried employee of the applicant enterprise, employment proof (e.g. Mandatory Provident Fund records of the month when the relevant transaction(s) is/are made) is required.

19. Applications will be processed on a first-come-first-served basis according to the time and date of receipt of a duly completed and valid application by TID. Under normal

¹⁶ At least 2 quotations are required for project price from over HK\$2,000 to HK\$50,000; 3 quotations for project price from over HK\$50,000 to HK\$300,000; 5 quotations for project price from over HK\$300,000 to HK\$1,400,000; and public tender is required for project price over HK\$1,400,000. Applicant enterprises are required to submit written quotations for projects commencing on or after 1 October 2018.

¹⁷ For fees paid by the sole proprietor of the applicant enterprise on behalf of the applicant enterprise, repayment record to the sole proprietor is not required.

circumstances, TID will complete the processing of a valid application **within 30 clear working days** from the date of receipt of the duly completed application accompanied by all necessary documentation. Applicant enterprises are reminded to ensure that their applications are submitted to TID together with supporting documents as detailed in this Guide. Failure to do so may cause delay in the processing of their application. In case any of the required supporting document is not available before the submission deadline (e.g. pending a formal receipt to be issued by an overseas organisation), an applicant enterprise may still submit a duly completed application form to TID before the submission deadline, together with an explanation on why a particular document is outstanding and when it will become available. TID will process the application after the outstanding document is submitted.

20. In general, TID will notify an applicant enterprise of the result of an application (successful or otherwise) by ordinary post. All original documents provided by an applicant enterprise will also be returned. For a successful application, the applicant enterprise will receive the grant by an order cheque bearing the full name of the applicant enterprise. For unsuccessful applications, TID will explain the reasons in the notification.

21. TID reserves at all times the absolute right to review any approved application and adjust the amount of grant as it deems fit and proper. In this scenario, TID will duly inform the applicant enterprise, which must refund the grant to TID either wholly or partially as required.

Amendment and Withdrawal of Applications

22. If there is any material change to the information contained in an application after its submission to TID, the applicant enterprise should **promptly** inform TID in writing. The applicant enterprise should also indicate whether it wishes to amend or withdraw an application arising from such a change. In its written notification to TID, the applicant enterprise should state clearly the relevant application number, its Business Registration number, and information on the export promotion activity concerned.

Personal Data Protection

23. TID is committed to ensuring that all personal data provided by an applicant enterprise in connection with an application will be handled in accordance with relevant provisions of the Personal Data (Privacy) Ordinance (Cap. 486). In providing supporting documents to TID, an applicant enterprise may cover up any information on documents that is irrelevant to the application. Personal data provided in an application and its supporting documents will be used by TID or its authorised agents solely and exclusively for:

- (i) The processing and authentication of applications, payment of grants and any refund thereof.
- (ii) Statistical analysis relating to the operation and periodic review of the EMF.

24. Personal data provided in an application will be kept in confidence. However, such data may be disclosed to other departments of the HKSAR Government, or to third parties in Hong Kong or elsewhere, if such disclosure is authorised or required by law.

25. If necessary, TID will contact other departments of the HKSAR Government and other relevant parties or organisations (such as the organisers/co-organisers/operators/service providers of the export promotion activities/platforms, trustees of Mandatory Provident Funds, and proprietors/partners/shareholders/employees of the applicant) to verify the truth of personal data provided in an application.

26. An applicant enterprise may request access to its personal data kept by TID in accordance with the Personal Data (Privacy) Ordinance (Cap. 486). TID will charge an administration fee to recover the cost of providing the material. Request for access to personal data should be made using the Data Access Request Form (No. OPS003) issued by the Privacy Commissioner which is available at the Information Counter¹⁸ of TID. The form may also be downloaded from TID's webpage (www.tid.gov.hk/english/aboutus/form/publicform/others/index.html). Completed forms should be returned to TID's "SME Export Marketing Fund Section". Should an applicant consider that the data supplied to TID is inaccurate, it may make a written request to TID for correction.

Double Funding

27. If an applicant enterprise has received or will receive any direct Hong Kong public funding (whether or not provided by the Government of the HKSAR direct) for any expenditure item(s) of its export promotion activity, it should not apply for a grant from the EMF for the same funded expenditure item(s) under the same activity. TID reserves the absolute right to determine whether an application under the EMF is in conflict with the above conditions.

Timely and Truthful Declaration

28. It is the responsibility of an applicant enterprise to complete an application form timely and truthfully and to provide all supporting documents. Inaccurate and incomplete information may affect the processing of the application by TID. Any misrepresentation or omission of information may lead to rejection of the application and/or full recovery by TID of any grant which has been awarded. **It is an offence in law to obtain property/pecuniary advantage by deception or assisting persons to obtain property/pecuniary advantage. Any person who does so may be liable to legal proceedings.**

¹⁸ TID's Information Counter is on 1/F, Trade and Industry Tower, 3 Concorde Road, Kowloon City, Hong Kong

Enquiry

29. For enquiry on the EMF, please contact “SME Export Marketing Fund Section” of TID:

Address : Room 1301 (EMF), 13/F, Trade and Industry Tower,
3 Concorde Road, Kowloon City, Hong Kong

Telephone no. : 2398 5127/2398 5125

Fax no. : 2391 2646/3525 0329

Email : emf_enquiry@tid.gov.hk

Website : www.smefund.tid.gov.hk/emf/eng

30. An applicant enterprise may make enquiries regarding the processing status of its application via the “Enquiry on Application Status” function on the “SME Export Marketing Fund” webpage (www.smefund.tid.gov.hk/emf/eng). Please note that information provided in response to such enquiry is for reference only. Official communications between an applicant enterprise and TID should be made in writing. TID will formally notify the applicant enterprise of the outcome of its application in writing.

Trade and Industry Department
September 2018

The Requirements of Substantive Business Operations in Hong Kong

When considering whether the applicant enterprise has substantive business operations in Hong Kong, TID will make reference to various factors, such as:

- nature of the business operation in Hong Kong
- size/extent/percentage of the business operation in Hong Kong
- amount of investment in Hong Kong
- number of employees in Hong Kong
- information of customers/clients
- years of establishment
- whether profits are assessable in Hong Kong
- information/assessment issued by relevant financial and professional organisations

To ascertain whether an enterprise has substantive business operations in Hong Kong, the enterprise may be required to submit the following supporting documents:

| Data of the Applicant Enterprise | Examples of Document |
|---|--|
| Business operations | Commercial contracts, invoices, receipts, quotations, freight forwarding documents, bank records, records of purchase/sales of goods, office tenancy agreements, water/electricity bills |
| Financial information | Audited accounts, financial reports, monthly bank statements, Profits Tax Returns and taxation assessment issued by the Inland Revenue Department of the HKSAR Government |
| Information of Employees | Mandatory Provident Fund records or approved retirement plan records, employees' employment contracts, salary payment records, staff identity documents |

Eligibility Criteria applicable to Local Trade Fairs/Exhibitions

Mainly Target at Markets outside Hong Kong

TID will make reference to the following criteria in determining whether a local trade fair/exhibition fulfils the requirement of “mainly target at markets outside Hong Kong”:

- (i) The trade fair/exhibition should mainly target at traders outside Hong Kong and locally. In general, public admission should not be allowed. However, if public admission is allowed, the total period which is open to the public should not exceed one-third of the total duration of the activity.
 - (ii) The organiser makes arrangements to attract traders outside Hong Kong to participate in the trade fair/exhibition.
 - (iii) For a trade fair/exhibition which is open to both the public and traders and whereby a “trade zone” (i.e. a dedicated zone for the admission of traders exclusively within the exhibition area) is instituted by the organiser, if the applicant enterprise’s booth is located inside the trade zone, it is deemed to be eligible for the Fund. However, the organiser must seek pre-approval from TID for such arrangement.
2. For the duration which is open for public admission and the total duration of the activity as mentioned in (i) above, only the opening hours between 9am and 5pm each day will be taken into account. The opening arrangement beyond the said duration will not be subject to restriction.
3. For the “trade zone” as mentioned in (iii) above, TID will consider the following factors in determining the pre-approval of the “trade zone:
- (a) The “trade zone” is segregated from the “public zone” and has a clearly separated entrance and signage indicating that admission to certain zone is restricted to traders only. Also, effective measures should be put in place by the organiser to ensure that visitors to the “public zone” will not be allowed to enter the “trade zone”.
 - (b) The opening hours and admission arrangements for the “trade zone” should be publicised to all exhibitors and visitors before and during the exhibition. The organiser should inform the exhibitors within the “trade zone” of the admission arrangements for the “trade zone” in details before they agree to join the exhibition.
 - (c) In seeking TID’s pre-approval, the organiser will be required to provide the pricing schedule for the exhibitors in both the “trade zone” and “public zone” to TID. After the exhibition is completed, the organiser will be required to provide

a list showing all the exhibitors in both zones to TID. Applicant enterprises with booths in both the “trade zone” and “public zone” have to submit all related invoices and receipts as supporting documents for their applications.

- (d) Organiser should seek pre-approval from TID not less than 2 months before commencement of the trade fair/exhibition in question. No retrospective application will be accepted.

4. TID reserves at all times the absolute right to determine whether a particular local trade fair/exhibition fulfils the requirement of “mainly target at markets outside Hong Kong”. TID officials may conduct site visit to the trade fair/exhibition venue to ensure that the relevant arrangements of trade fair/exhibition are duly implemented.