

填寫「中小企業市場推廣基金」資助協議的說明

Notes on Completing the SME Export Marketing Fund (EMF) Funding Agreement

- (1) 在填寫資助協議前，請先細閱此說明。
Please read this note before completing the Funding Agreement.
- (2) 首期撥款資助協議是政府與申請企業之間具有法律約束力的協議，涵蓋申請企業就其計劃開展的出口推廣活動申請首期撥款的資助安排。

根據該協議，企業在接受首期撥款時即同意以下條件：

- (i) 首期撥款僅用於申請內列明的出口推廣活動；
- (ii) 在申請表格上申報的期限內完成該出口推廣活動；
- (iii) 於終期撥款申請時向工業貿易署（工貿署）提交所有發票、收據及所需文件，以便工貿署評估應發放的最終資助總額；及
- (iv) 按工貿署要求歸還首期撥款或超額撥款。

The Funding Agreement for initial payment is a legally binding agreement between the Government and the applicant enterprise covering the funding support provided to the applicant enterprise under an arrangement of initial payment for an export promotion activity to be conducted by the applicant enterprise.

Under the Agreement, the applicant enterprise agrees to the following in accepting an initial payment from the Government:

- (i) use the initial payment solely for conducting the export promotion activity under application;
 - (ii) complete the export promotion activity within the timeframe as declared in the application form;
 - (iii) submit all invoices, receipts and necessary documents to TID (under an application for final payment) for assessment of the final amount of funding support to be provided; and
 - (iv) refund to TID the initial payment or excess payment as required.
- (3) 如果申請企業在獲得首期撥款後而沒有提交相關的終期撥款申請，工貿署會對申請企業採取行政措施，包括暫停為其提供申請基金的服務。暫停的服務包括暫停為申請企業和其關連及/或相關企業（即與申請企業擁有相同東主、股東或董事的企業）發放其他申請下的支票。工貿署亦會採取適當的法律程序，以收回整筆首期撥款並連同任何所需利息。

If an applicant enterprise fails to submit a corresponding application for final payment after having received an initial payment, TID may take administrative measures against the applicant enterprise including suspension of application services and cheque issuance (under other applications) for the applicant enterprise and its connected enterprises and/or related enterprises (i.e. enterprises of the same owner(s)/shareholder(s)/director(s) of the applicant enterprises). Legal proceeding may also be taken to recoup from the applicant enterprise the full amount of initial payment together with any interest as required.

- (4) 若首期撥款金額超過最終政府核准資助總額，或申請企業因不符合基金的申請資格及/或使用條件而導致有關的終期撥款申請被拒絕，或申請企業未完成有關出口推廣活動，或申請企業未有在指定的申請期限內就有關的出口推廣活動提交終期撥款申請，申請企業須按要求向工貿署歸還超額的首期撥款或整筆首期撥款並連同任何所需利息。

An applicant enterprise shall refund to TID the full amount of initial payment or the amount of payment in excess of the initial payment together with any interest as required, if the amount of initial payment is assessed to be in excess of the total final approved amount of funding, or if the application

is subsequently rejected due to non-compliance with the eligibility criteria and/or conditions of use of EMF, or if the applicant enterprise fails to complete the activity concerned, or if the applicant enterprise does not submit an application for final payment for the activity concerned.

- (5) 如申請企業未能於(3)列明的向工貿署歸還整筆首期撥款或超額的首期撥款，工貿署會對申請企業採取行政措施。工貿署亦會採取適當的法律程序，以收回首期/超額撥款並連同任何所需利息。

If an applicant enterprise fails to return the full amount of initial payment or the amount in excess of the initial payment to TID, TID may take administrative measures against the applicant enterprise as set out in (3). Legal actions may also be taken to recoup from the applicant enterprise the initial/excess amount together with any interest as required.

- (6) 資助協議只供申請首期撥款的企業使用。申請企業僅需在首次申請首期撥款時填寫資助協議。如企業以往曾獲批首期撥款申請，則不需再次填寫資助協議。

The Funding Agreement is **only** applicable to applicant enterprises opting to apply for initial payment. An applicant enterprise is required to complete the Funding Agreement only for their **first application** for initial payment. An applicant enterprise does not need to complete the Funding Agreement if it has been approved for initial payment(s) under previous application(s).

- (7) 資助協議將適用於首次獲批的首期撥款申請，以及其後同一申請企業所有獲批的首期撥款申請。

The funding agreement will apply to the first successful application for initial payment of the applicant enterprise as well as all subsequent successful applications for initial payment submitted by the same applicant enterprise.

- (8) 申請企業須在申請首期撥款時預先填妥及簽署一式兩份的資助協議。

In submitting an application for initial payment, an applicant enterprise must complete and sign **in duplicate** the Funding Agreement in advance.

- (9) 資助協議的填寫方法請參閱協議樣本。

Please refer to the Agreement Sample for filling the Funding Agreement.

- (10) 申請企業在細閱協議內容後，請填妥資助協議第一頁申請企業的資料，並於協議的第十一頁簽署及寫上簽署人全名。簽署人必須為獲申請企業授權的人士。

After reading the contents of the Funding Agreement, please complete information on the Applicant on page one of the Funding Agreement, sign on page 11 and write down the full name of the signatory. The signatory must be a duly authorised representative of the Applicant.

- (11) 申請企業不需填寫協議日期及附表中任何項目。如首期撥款申請獲批，工貿署將填妥該等資料並簽署協議。

Please **do not** fill in the date and any item in the Schedule. The Government will fill in the information and sign the Funding Agreement if the application is approved.

- (12) 在申請企業的首次首期撥款申請獲批後，工貿署會將其中一份簽署妥當的資助協議以郵遞方式寄回申請企業以備記錄，並連同首期撥款的劃線支票寄回。

For the first approved application for initial payment of an applicant enterprise, TID will return by post a copy of the signed Funding Agreement to the applicant enterprise for record together with an order cheque for the initial payment approved.
