

seed- start.

Grant Program Guidelines

November 2025

Funding for early-stage businesses with high-growth potential to undertake projects to commercialise innovative products or services.

Seed-Start is funded through the South Australian Government Research and Innovation Fund (RIF) Stream 2.



Government
of South Australia

Department of
State Development

Seed-Start Grant Guidelines

Please read these guidelines to determine your eligibility and suitability before applying.

These guidelines should be read in conjunction with the [Research and Innovation Fund \(RIF\) Investment Principles](#).

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1. Introduction

Program Objectives

Seed-Start grants support innovative early-stage South Australian businesses with high-growth potential* to commercialise products or services that are unique or have a sustainable competitive advantage in national and international markets.

Grant funding is provided to co-fund the costs of delivering a **clearly defined project that is on the critical path to success for the business** (that is, a scope of work with a defined start and end date) that delivers a turning point in the growth of the business and in doing so, generates significant benefits such as revenue growth, export income, local employment, or other benefits to South Australia.

Seed-Start grants aim to benefit South Australia by:

- encouraging the establishment and growth of innovative young high-growth potential businesses in South Australia that build South Australian capability, capacity and productivity
- creating more jobs in South Australia, especially in skilled occupations
- progressing more young South Australian businesses towards raising significant private investment for growth
- delivering economic, and/or public benefits for South Australia.

Research and Innovation Fund

Seed-Start is an initiative funded through Stream 2 of the South Australian Government's Research and Innovation Fund (RIF) managed by the Department of State Development (Department).

The RIF, established in 2018, is a strategic fund that invests in the entire South Australian research and innovation value chain, aligned to the state's priority industry sectors.

This includes leveraging co-investment from the Australian Government and the private sector, to:

- continue to develop a high performing research and innovation system through further investments into the state's established and emerging centres of research excellence, further building capacity and capability
- support greater research and industry collaboration to drive the translation and commercialisation of innovative products and services into national and international markets
- support the development and adoption by business of critical technologies that drive productivity and competitiveness
- support the growth of innovative early-stage high-growth potential businesses addressing national and international markets.

RIF Stream 2 (including Seed-Start) provides funding to early-stage businesses with high-growth potential to commercialise innovative products or services.

More information about the RIF, including previous recipients of RIF funding, is available here: <https://statedevelopment.sa.gov.au/science-and-research-excellence/rif>

*A "high-growth potential" business means a business with a scalable business model, addressing a significant customer problem and market opportunity with products or services that demonstrate a sustainable competitive advantage for a global market.

2. Program Overview

The Seed-Start Grant Program (Program) offers two funding options:

Seed Grant:

- Grants from \$50,000 up to \$100,000 are available on a competitive 2:1 matched funding basis i.e. \$2 from Government to \$1 from the Applicant business (Applicant)
- Grant funds are provided to an early-stage high-growth potential business to undertake a defined project that will overcome the initial challenges in getting their product or service into national and international markets
- The project must be achievable within a two-year time frame, and result in a product or service that is unique or has a sustainable competitive advantage.

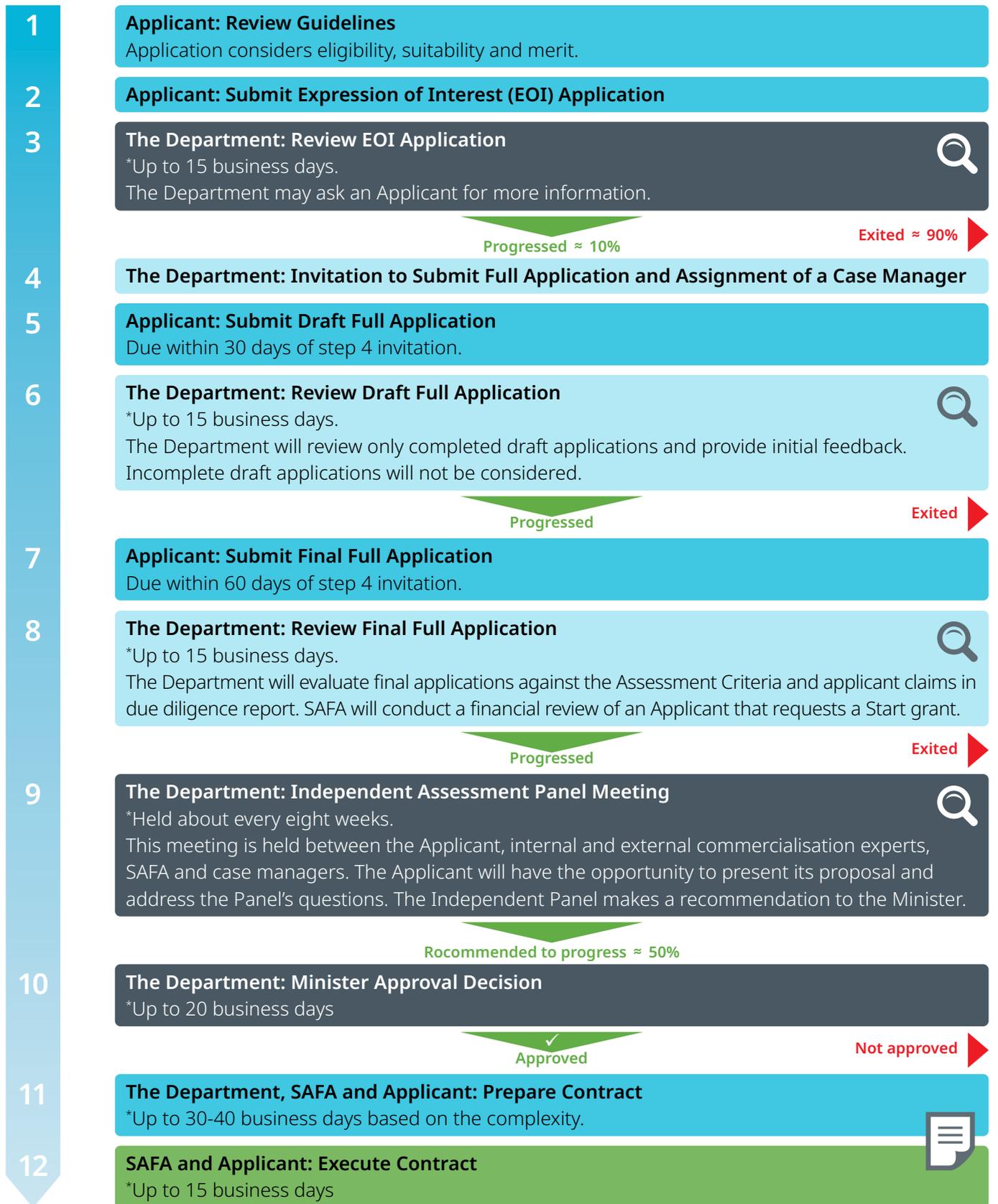
Start Grant:

- Grants over \$100,000 up to \$500,000 are available on a competitive 1:1 matched funding basis
- Grant funds are provided to an early-stage high-growth potential business to undertake a defined project that will accelerate the development and commercialisation of their product or service in national and international markets
- The project must be achievable within a three-year time frame and result in a product or service that is unique or has a sustainable competitive advantage.

A competitive application will be able to demonstrate:

- a strong business case supporting the need for the grant funding at this time
- evidence of access to the required matched funding (in cash) for the project and the grant
- a well-defined customer problem and market opportunity (with supporting evidence)
- a well-defined solution that addresses the problem and market opportunity that is commercially and technically viable, and is unique or creates a significant competitive advantage in national and international markets (with supporting evidence)
- a feasible project plan for activities that are on the critical path to success and a clear path to market
- a robust understanding of the technical, commercial, and financial risks faced by the business and the extent to which the Applicant can mitigate those risks
- appropriate business financials (i.e. a balance sheet, profit and loss statement, and cash-flow modelling) with evidence supporting the underlying assumptions
- an ability to access the required commercial and technical capabilities to deliver the project plan and implement the solution.

3. Seed-Start Grant Process



*All timeframes are indicative (excluding due dates).

An Applicant can decide to submit prior to their due dates. Delayed submissions may require approval by the Department to remain in the Seed-Start grant process. When an application has been Exited or Not Approved, the Applicant is notified and can seek feedback. Another EOI Application can be submitted should the feedback be addressed.

4. Grant Details

Grant Type	Seed Grant	Start Grant
Grant Funding	From \$50,000 up to \$100,000 (ex GST)	Over \$100,000 up to \$500,000 (ex GST)
Matched Funding	2:1 (\$2 Government to \$1 Applicant)	1:1 (\$1 Government to \$1 Applicant)
Funding Period	Up to two years maximum	Up to three years maximum
Royalty Payments	No	Yes – see 6. Royalty Payments

5. Matched Funding

An Applicant must commit the required matched funding as a cash contribution towards the costs of the proposed project.

An Applicant may need to contribute additional matched funding depending on the total cost of the proposed project. For example, if an Applicant requests a Start Grant of \$500,000 (ex GST) and the total cost of the proposed project is \$1.1 million (ex GST), the Applicant will need to contribute \$600,000 (ex GST) of matched funding, greater than the 1:1 matched funding requirement.

The matched funding can only be used for eligible expenditure – see Eligible Expenditure below. An Applicant cannot use in-kind (non-cash) contributions as its matched funding.

At the first application stage (Expression of Interest), the Applicant should provide evidence that the required matched funding is either available or at least highly likely to be available at the time of the project commencement. At the time of submitting a Full Application, evidence of access to matched funding for the project must be clearly demonstrated.

Documented evidence of matched funding may be provided as, but not limited to:

- a signed letter or statement from a financial institution
- an executed financier or investor agreement (which may be conditional on receiving a Seed-Start grant)
- an executed shareholder agreement.

Other Commonwealth or South Australian Government grants will not be accepted as matched funding for the proposed project. Matched funding that demonstrates validation of market potential (e.g. funds raised from private investors, or cash at bank available from previous revenue) will be assessed more favourably under the Assessment Criteria.

6. Royalty Payments

Grant funding greater than \$100,000 (ex GST) in value will be contingently repayable by way of royalty. A royalty of 3 per cent per annum will be calculated on the revenue derived by the successful Applicant above an agreed revenue threshold and up until the value of the grant has been repaid. For example, if \$250,000 is the agreed revenue threshold: $\$250,000 \text{ p.a.} \times 3\% = \$7,500$ royalty.

Royalty payments are calculated on net sales revenue, that is revenue from sales, less product returns and allowances. If no income has been earned after ten years from the project completion date, no repayment will be required.

Royalty obligations commence from the project completion date and after net sales revenue exceeds an agreed revenue threshold in any financial year. Once repayment obligations commence, these obligations continue until the full amount of the grant is repaid, acknowledging that repayment obligations may vary from year to year depending on net sales revenue.

Grant recipients may choose to repay the obligation as a lump sum. Grant recipient obligations in the event of a merger, acquisition or trade sale will be specified in the grant deed.

7. Eligibility Criteria

To be eligible an Applicant must:

- be a company incorporated in Australia with an active Australian Business Number (ABN)
- be a non-tax-exempt business
- be registered for Goods and Services Tax (GST)
- have an average annual net sales revenue of less than \$2 million over the three financial years prior to lodgement of the application – this includes the net sales revenue for any Related Bodies Corporate¹
- be based or willing to be based in South Australia prior to commencing the project.²

If based outside of South Australia, there may be special circumstances which merit consideration of an Applicant, however the State Government may impose a contractual obligation on the Applicant (if successful) to relocate and maintain the relevant enterprise (in whole or part) in South Australia.

An Applicant must consider the Assessment Criteria outlined in these guidelines before applying, including the requirement to provide a strong case for the need for grant funding.

An application will not be considered where:

- retrospective grant funding is sought
- other funding sources are deemed better suited to the proposed project.

If an Applicant has previously received a grant from the South Australian Government for the same project, or a stage of the project, then the Applicant is not entitled to further funding from this Program. An Applicant is permitted to apply for a different or subsequent stage of the project having demonstrated progress and acquittal of previous funding from the South Australian Government.

8. Eligible Expenditure

Eligible expenditure for grant funding and matched funding includes the following activities and/or items that are critical for the delivery of the proposed project:

- salaries and consumables directly attributed to, or critical for, the delivery of the project
- accessing specialist professional services
- accessing or protecting intellectual property rights
- product development
- scholarships, study tours, undertaking market research/testing and engaging with major customers and investors

¹ The term "Related Body Corporate" has the same meaning as in section 50 of the *Corporations Act 2001 (Cth)*.

² Based in South Australia means: (1) the business is registered in South Australia; and (2) the majority of the business' workforce is based in South Australia and/or the business' founders are residents of South Australia.

- reasonable economy travel expenses for testing, market development of the product/service, capital raising and other partnership or investment opportunities
- data procurement and efforts to obtain regulatory approval.

9. Ineligible Expenditure

Ineligible expenditure includes, but is not limited to, the following 'business as usual' activities and/or items:

- rent or other property fees
- salaries for business founders, project managers or administrative staff, unless these are demonstrated as essential to the execution of the proposed project (e.g. unique technical skills/knowledge) – in exceptional cases a proportion of salary attributable to activities requiring unique technical skills/knowledge may be considered
- routine sales, advertising, or business development costs
- recruitment and procurement fees
- basic office supplies and equipment
- grant application costs, administration costs, accounting costs, or infrastructure levies
- payments to directors
- any other expenditure items determined by the South Australian Government as usual business operational costs.

10. Assessment Criteria

Applications are evaluated against the Assessment Criteria outlined in the Assessment Matrix on the next page.

Seed-Start has a two-stage application process. Applicants must first submit an Expression of Interest (EOI) and, if successful at the EOI stage, will be invited to submit a Full Application. See *11. Application and Selection Process* for more information.

At the EOI stage, Applicants are expected to provide concise information to enable the Department to undertake a high-level assessment to verify eligibility and whether Applicants meet the definition of a "high-growth potential" business (*see 1. Introduction*). EOI applications are not expected to provide justification and validation of claims made unless requested by the Department.

At the Full Application stage, Applicants are invited to provide more detailed information to address the full Assessment Criteria and justify and validate claims made in the application. Full Applications are subject to due diligence, and evaluation by an Independent Assessment Panel, to verify claims made by the Applicant (where possible) and further validate the competitiveness of the applications against the Assessment Criteria.

There is no specific weighting applied to individual assessment criterion. This is to enable fairer consideration of Applicants that may face different hurdles in achieving growth depending on the technology or market. However, all components of the Assessment Criteria must be adequately addressed, and Applicants may not be recommended for funding if any individual assessment criterion is scored 3 out of 10 or below by the Independent Assessment Panel.

The Department reserves the right not to fund an application regardless of whether an Applicant fulfils the eligibility requirements and addresses the Assessment Criteria.

10a. Assessment Matrix

1. Eligibility (Yes / No)

- The Applicant is a company incorporated in Australia with an active ABN.
- The Applicant is a non-tax-exempt business.
- The Applicant is registered for GST.
- The Applicant has an average annual net sales revenue of less than \$2 million over the previous three financial years.
- The Applicant is based in SA, or willing to be based in SA prior to project commencement and over the long term.
- The Applicant has not previously received a grant from the South Australian Government for the same proposed project.
- The required matched funding for the proposed project is committed and available or will be available or immediately accessible at the time of submitting a Full Application.

2. The Funding (score / 10)

- The proposed project demonstrates value for money for the South Australian Government.
- The source of matched funding for the project and/or previous funding received from other sources (e.g. investment or other grants) demonstrates validation of market potential.
- The Applicant provides a strong case as to why sufficient funding for the entire project cannot be accessed from alternative sources.
- Financial and commercial information provided by the Applicant supports the execution of the proposed project.
- The proposed project is aligned to the program objectives and demonstrates potential benefits to South Australia, including supporting the objectives and missions outlined in the SA Economic Statement.

3. The Problem and Solution (score / 10)

- The customer problem is well defined and demonstrates an unmet market need.
- The product or service (solution) is clearly described and addresses the customer problem.
- Appropriate validation of the technical and functional feasibility of the product or service has been obtained to justify investment in the proposed project.

4. The Market (score / 10)

- The scale of the market opportunity justifies investment in the proposed project.
- The Applicant demonstrates a strong understanding of its key customers including end users.
- The Applicant demonstrates a strong understanding of its key competitors.
- The Applicant's solution is differentiated and/or has a sustainable competitive advantage in national and international markets.
- The Applicant demonstrates a scalable and viable business model.
- The Applicant has obtained validation of market demand for its product or service to signal the potential for continued growth.
- The Applicant demonstrates a viable go-to-market strategy to drive high growth.
- The Applicant demonstrates a robust strategy for how the company's IP will be protected / leveraged to support high growth (if applicable).

5. The Project (score / 10)

- The Applicant's proposed project includes clear, logical, and feasible objectives, deliverables, costings, and expected outcomes.
- The Applicant demonstrates a strong understanding of the key risks to its proposed project and identifies robust risk mitigation strategies.
- The Applicant provides a strong case as to why the project needs to happen now and is on the critical path to accelerate the growth of the business (for example, creation of new revenue, private investment, jobs).
- The Applicant demonstrates a clear understanding of any future development activities and additional funding required to commercialise its solution beyond the proposed project, and how any required funding will be accessed.

6. The Project Team (score / 10)

- The project team has access to the necessary expertise, experience, and networks, as well as the dedication and vision, to drive the company's growth.
- The Applicant demonstrates a clear understanding of any relevant business, commercialisation, market and/or technical expertise required to deliver the proposed project, and an effective plan to acquire the required expertise (if necessary).

11. Application and Selection Process

The diagram below shows the high-level stages in the application and selection process.



The timeframes involved in the application process depends on several factors including the grant amount requested, the quality of the application, and the complexity of the required evaluation and assessment.

Before applying, potential Applicants must read and understand these guidelines to determine their eligibility and suitability.

Expression of Interest (EOI)

Eligible Applicants must first submit an online EOI Application form. EOI Applications are open on an ongoing basis unless otherwise stated.

The Department conducts a high-level assessment of EOI Applications to verify eligibility and assess whether Applicants meet the definition of a “high-growth potential” business (see 1. Introduction).

The Department will review all submitted EOI Applications and reply within 10 business days to confirm if the EOI has been accepted, declined, or if additional information is required for a decision. Other government agencies or independent subject matter experts may be consulted (in accordance with the Privacy and Confidentiality provisions included in these guidelines – refer to 19. *Privacy and Confidentiality*) if assessment of a proposed project or solution requires expert knowledge, for example in domains such as health, defence, space, or agriculture.

If an EOI Application is declined, another EOI Application can be submitted at any time, provided all feedback is addressed.

If an EOI Application is accepted, the Applicant will be invited to complete a Full Application.

Full Application

An Applicant will be required to submit a Full Application in two stages:

- 1. Draft Version** – A completed draft version of the Full Application. Due to the Department within 30 days of invitation.
- 2. Final Version** – A completed final version of the Full Application. Due to the Department within 60 days of invitation.

Full Applications are subject to due diligence, and evaluation by an Independent Assessment Panel, to verify claims made by the Applicant (where possible) and further validate the competitiveness of applications against the Assessment Criteria.

The Draft and Final versions of the Full Application must be submitted within the specified due dates, otherwise the invitation will lapse, and the Applicant will be required to restart the process with a new EOI Application.

All questions in the Full Application form must be completed as instructed, and all requested documentation attached, for timely processing. The Department may not consider any materials or documents attached to the application that were not specifically requested or do not comply with the amount or length of information requested.

The South Australian Government Financing Authority (SAFA) will undertake a financial review of an Applicant that has requested grant funding over \$100,000 (ex GST).

The following documents must be submitted as accompanying documentation to the Full Application form, to assist with evaluation of the Full Application:

- ASIC Current Company Extract
- Historical financials (including Balance Sheet and Profit and Loss Statement) prepared by an independent accounting firm, for the previous three financial years (if relevant to the company's age)
- Management accounts for the current financial year
- Cost quotes for the proposed project
- Intellectual Property agreements (if applicable)
- Any other documentation requested by the Department to corroborate key claims made in the application.

If the Department identifies any elements in the Full Application (at the Draft or Final stage) that fail to address one or more areas of the Assessment Criteria, any claims are found to be false or misleading, or any mandatory documentation has not been provided by the Applicant, an internal Department committee may determine that the application shall be exited from the assessment process and not proceed to the Independent Assessment Panel. An Applicant will be notified in writing if this occurs.

The most common reasons for not progressing an application to an Assessment Panel include:

- not providing complete business financials
- not having committed and available matched funding (in cash)
- not validating the market opportunity
- not validating the sustainable competitive advantage of the product or service
- not meeting the eligibility criteria regarding corporate structure and shareholder arrangements.

Assessment Panel

An Independent Assessment Panel convenes approximately every eight weeks to assess Full Applications and make recommendations to the Minister for Industry, Innovation and Science (Minister).

If a Full Application is not recommended, the Applicant may re-apply at any stage by submitting a new EOI Application.

If a Full Application is recommended for grant funding, it will be sent to the Minister or a delegated representative to consider approving the grant funding.

An Applicant will not be notified of the Assessment Panel's decision until it is reviewed, noted or approved by the Minister or delegated representative.

Approval

The final decision to approve grant funding is at the sole discretion of the Minister or delegated representative.

The Department will at the earliest opportunity inform an Applicant of the Minister's decision to approve or not approve the grant funding.

If a Full Application is approved for grant funding, the Minister will send a letter to the Applicant outlining the grant funding awarded, any conditions of the funding, and the next steps. The Department will contact the Applicant to begin drafting a grant deed.

An Applicant may, entirely at their own risk, choose to incur eligible expenditure towards their proposed project using their matched funding from the date the Assessment Panel recommended approving grant funding for the proposed project. The Applicant will be notified of the Assessment Panel's recommendation only after the Minister has made an approval decision.

In exceptional circumstances, the Minister may consider or accept (at their sole discretion) any proposal, including without limitation a proposal that is not in accordance with these guidelines. In such circumstances, these proposals may need to meet the requirements of the South Australian Industry Participation Policy. Further details can be found at www.saipp.sa.gov.au.

12. Grant Deed and Payments

To receive grant payments, an approved Applicant will be required to sign a formal written grant funding deed with the South Australian Government that stipulates all deliverable obligations, reporting obligations and all terms and conditions under which the grant funding is provided.

An approved Applicant cannot claim any grant payments until a formal written deed is signed by both parties, including the Applicant and a South Australian Government representative.

Payments will be provided at the times and in the manner specified in the grant deed. A payment schedule will be determined based on the proposed project milestones and the Applicant's financial plans.

Payments are usually made in advance to allow coverage of expenses related to the next milestone and are also conditional on the achievement of project milestones. The Applicant must provide a financial acquittal for any project expenditures. A final payment is made in arrears once a project completion report is validated, and a financial acquittal is completed for the entire project, which requires satisfactory expenditure of grant funding and matched funding.

Seed-Start grants are generally treated as assessable income for taxation purposes, unless specifically exempted. The Department of State Development does not provide any advice on tax and recommends that grant recipients seek independent professional advice on their taxation obligations.

13. Reporting

Seed-Start recipients are required to provide reports as a condition of grant funding. The reporting requirements and due dates will be outlined in the grant deed. The amount of detail reported may be relative to the project size, complexity, and grant amount. Occasionally, the Department or SAFA may re-examine claims, seek further information, or documentation, or request an independent audit of claims and payments. These reports may include those listed below.

A summary of the type of information that may be requested for each is outlined below as guidance.

Performance Milestone reports must:

- include concise detailed evidence of progress towards completion of agreed project activities and milestones and show eligible expenditure incurred for the reporting period
- be submitted by the report due date or submitted ahead of time if the agreed project activities have been completed.

Biannual Business Outcomes reports must:

- include concise outcome data of the Recipient's business (i.e. employee numbers, new revenue, new funding, and new business creation)
- be submitted twice a year for the periods January to June and July to December over the term of the grant deed.

Project Completion reports must:

- include concise details and evidence confirming the progress and completion of the Project and any significant achievements and benefits gained through the Project
- verify and declare the grant funding and matched funding were incurred on eligible expenditure for the Project
- be submitted by the report due date or submitted ahead of time if the agreed project activities have been completed.

Post Project Completion reports must:

- include further progress made towards the Project outcomes during the 12 months after the project completion
- be submitted 12 months after the project completion report.

Royalty reports (if required) must:

- include a letter from the Recipient stating the Royalties accrued (or nil amount) and supporting calculations certified by the Recipient's accountant
- be submitted each financial year during the term of the deed, together with the annual financial report that has been prepared by an independent accounting firm.

Once the project is completed and final reports and financial acquittals are validated, Seed-Start grant recipients may have ongoing reporting obligations as specified in the deed.

Other ad-hoc reports and surveys may be requested from time to time that relate to the recipient's business, the Project, or other information in respect to the grant deed.

14. Grant Variation

The Department understands that external factors and the uncertain nature of research and commercialisation can impact on a business and/or a project.

Should any significant changes occur to the Applicant, their financial position, or the nature and/or scope of the project, the Applicant should immediately contact the South Australian Government Financing Authority (contact details to be provided in the grant deed) to discuss whether a grant variation can be accommodated. Any variation will be at the discretion of the South Australian Government.

If the grant deed has terminated or expired (i.e. the expiry date has passed), then a grant variation can no longer occur.

15. Applicant Support and Feedback

During the application

An Applicant that has been invited to submit a Full Application will be assigned a case manager from the Department as a main point of contact. The case manager may provide limited feedback to an Applicant prior to submitting a Full Application and may ask an Applicant additional questions and provide feedback during the evaluation and assessment stages.

After a successful application

The case manager will remain engaged with a successful Applicant if or when necessary. The case manager will be available for questions related to grant management but also for additional support such as discussing market opportunities and introductions to key contacts. SAFA will remain engaged with a successful Applicant for the purpose of managing the obligations in the grant deed.

16. Grant Announcements

Outcomes of the EOI application process will not be publicly announced.

If a Full Application is successful, general details of the successful application will be publicly disclosed in official South Australian Government media releases and websites subject to the South Australian Government's consideration of any commercial and public interest factors.

Published details may include but are not limited to:

- the business name of the successful Applicant
- the title and summary description of the project
- estimated and actual economic outcomes
- the amount and nature of grant funding awarded.

Applicants should ensure that information contained in the proposed project title and summary descriptions is not commercially sensitive or would not, if released, compromise requirements for confidentiality (such as protection of Intellectual Property).

In making information public about a project that received grant funding, the South Australian Government may use a project description, including title and summary, which differs from that provided in the application.

Any awarded industry assistance contracts of \$200,000 or more are published in their entirety on the South Australian Government's Tenders and Contracts website.

17. Probity

Probity principles and protocols may be established when dealing with Applicants participating in the Program to ensure that:

- decisions are made through the approved frameworks and are capable of withstanding objective and independent scrutiny
- decisions deliver the best outcomes for Government
- public service integrity is maintained
- commercially sensitive and confidential information is protected
- any perceived conflict of interest, bias and/or misconduct is eliminated.

An Applicant must not offer any incentive to, or otherwise attempt to, influence any person who is either directly or indirectly involved in an assessment or negotiation process. If the Government determines that an Applicant has violated this condition, the Government may, in its sole and absolute discretion, disqualify the Applicant's submission from further consideration.

18. General Terms and Conditions

The Department may consider any other factors that it considers relevant to the assessment of an application, including any that may arise as a consequence of the nature and content of the proposal, of applicable Government policy or strategy and of pertaining economic, social, legal or other events or Government affairs.

No Legal Relationship

By submitting an application, the Applicant acknowledges:

- no contract exists or will be implied between the Government and the Applicant unless and until suitable documentation is executed with the Government
- the Government has no contractual or other legal obligation to the Applicant with respect to the consideration, the evaluation, the acceptance or the rejection of any submission or the failure to consider, evaluate or accept any submission.

Change in Circumstance

Applicants must inform the Government promptly in writing of any material change to any of the information contained in their submission, and of any material change in circumstance that may affect the truth, completeness or accuracy of any information provided in, or in connection with, the submission.

Costs

All risk and costs of preparing, lodging, developing and negotiating a proposal are to be borne by the Applicant. No Applicants will have any recourse against the Government in relation to its decision to not proceed with a proposal under these guidelines.

Reliance on Information

By lodging a submission, the Applicant warrants and represents to the Government that the information contained in its application is true, accurate and complete as at the date on which it is lodged and may be relied upon by the Government in its assessment.

If any information in an application or report is found to be false or misleading, or grants are not used per the terms of funding, the grant will be repayable on demand.

Conflict of Interest

The Applicant shall:

- declare any actual or potential conflict of interest in relation to the application
- comply with all laws in force in South Australia, including the *Australian Competition and Consumer Act 2010*.

Other Rights

The Government reserves the right, in its sole and absolute discretion, at any time during the process to:

- require additional information from an Applicant
- perform security and/or financial checks and procedures in relation to each Applicant and each party with an interest in the Applicant
- change its requirements and application terms, including, at any stage, adding to or amending the information, terms, procedures, evaluation process and protocols set out in these guidelines
- change the basis on which Applicant may, or is required to, participate in the process

- clarify any aspect of an application
- discontinue negotiations at any time with any Applicant
- seek the advice of external consultants or independent subject matter experts to assist the Government in the evaluation or review of applications, or monitoring and reporting in relation to the grant application or project (in accordance with the Privacy and Confidentiality provisions included in these guidelines – refer to 19. *Privacy and Confidentiality*)
- make enquiries of any person, company, organisation, or consortium to ascertain information about the application, the Applicant, and any matter related to the application
- allow an Applicant to change its submission.

Acceptance of an Application

The Government is not obliged to accept any application. No acceptance of an application will be effective to constitute a contract or to create any legitimate expectation on the part of the Applicant unless a formal written grant deed is executed by both parties.

No Contract or Estoppel

No contracts, contractual rights, estoppels or expectations, express or implied, shall arise, or be deemed to arise, out of the process set out in these guidelines.

19. Privacy and Confidentiality

Freedom of Information

Applicants should be aware that all documents in the possession of the South Australian Government, including those provided in this Program, are subject to the *Freedom of Information Act 1991 (SA)* (FOI Act). Information submitted in applications and all related correspondence, attachments and other documents may be made publicly available under the FOI Act. The FOI Act gives members of the public a legally enforceable right to access documents – subject to certain exemptions – held by South Australian Government Agencies, local government authorities, statutory and regulatory bodies and South Australian Universities.

Confidentiality and Confidential Information

Confidentiality obligations apply to South Australian Government employees under their terms of employment and the *Public Sector Act 2009 (SA)*. The Department will treat information provided by the Applicant as confidential information if all the following is satisfied:

- the information is clearly identified as confidential, and you explain why it should be treated as confidential
- the information is of a confidential nature (e.g. commercially sensitive)
- the information is provided with the understanding that it will stay confidential.

Information that is or becomes public knowledge (other than by breach of any confidentiality obligations) will not be considered to be confidential information. Applicants shall not make any news releases or responses to media enquiries and questions pertaining to this process without the Government's written approval.

Disclosure of Information (including confidential information)

Any information contained in, or relating to, an application, including information identified by an Applicant as confidential information for the purposes of applying for funding under the Seed-Start Program, may be disclosed by the Department in accordance with Premier and Cabinet Circular PC027 – *Disclosure of Government Contracts*:

- to employees, advisers or third parties in order to manage the Program (including but not limited to, for the purposes of evaluating and assessing the application)
- within the Government where this serves the legitimate interest of the Department
- in response to a request by a House or Committee of the Parliament of the Commonwealth of Australia or South Australia
- where information is authorised or required by law to be disclosed
- where the information is already in the public domain.

Privacy

The Department is required to treat your personal information in compliance with the Government's Information Privacy Principles (IPPs). The Department may provide the personal information collected from you to Government employees, advisers or third parties so that the Department can manage, monitor and assess the Program. The Department or the Minister may publicly announce details of successful applications including but not limited to, the name of Applicant, Project summary, estimated and actual economic outcomes and amount of funding, and publish personal information on the Department's social media and websites.

20. Program Monitoring and Evaluation

The Department will actively monitor the performance of this Program over its operational period and may conduct evaluations of the Program at any time or interval it deems appropriate, to determine the Program's effectiveness in achieving the Program Objectives. For such purposes in lodging an application, an Applicant provides consent to the disclosure of information relating in any way to the business, the Application, the grant deed, and all related performance and compliance reporting, to Department employees, advisers, third parties or other government agencies as required to monitor and evaluate the Program.

Recipients agree to provide any other information and assistance reasonably requested by the Department for the purpose of monitoring, evaluating and promoting the Program.

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