# **STATES OF JERSEY**



# JERSEY INNOVATION FUND: ESTABLISHMENT, FUNDING AND OPERATION

Lodged au Greffe on 20th November 2012 by the Minister for Treasury and Resources

**STATES GREFFE** 

# PROPOSITION

#### THE STATES are asked to decide whether they are of opinion -

to refer to their Act dated 17th July 2012 in which they approved the Economic Growth and Diversification Strategy which, *inter alia*, proposed the establishment of an Innovation Fund, and -

- (a) to approve, in accordance with the provisions of Article 3(3)(a) of the Public Finances (Jersey) Law 2005, the establishment of a special Fund to be known as the "Jersey Innovation Fund";
- (b) to agree, in accordance with the provisions of Article 2(4) of the Public Finances (Transitional Arrangements) (Jersey) Order 2011 to increase the expenditure approval for 2013 approved by the States on 6th November 2012 in respect of the Economic Development Department head of expenditure to permit the withdrawal of an additional £5,000,000 from the Consolidated Fund to finance the creation of this new special fund;
- (c) to agree that the Jersey Innovation Fund should be operated and used in accordance with the Operational Terms of Reference set out in the Appendix, under the supervision of an independent Innovation Board to be established by the Minister for Economic Development through a process overseen by the Appointments Commission and following the Commission's code on appointments to public bodies;
- (d) to agree that any loans or grants made from the Jersey Innovation Fund will be authorised by the Minister for Economic Development.

MINISTER FOR TREASURY AND RESOURCES

#### REPORT

#### 1. Introduction

The key objective of the Economic Growth and Diversification Strategy, as approved by the States in P.55/2012, is to deliver growth, improve competitiveness, diversify the local economy and create employment. To achieve this, a key strategic aim is to encourage innovation and improve Jersey's international competitiveness.

In order to achieve this strategic aim, an identified priority is to establish the Jersey Innovation Fund. The aim of the Fund is to support innovation, and it will be available to support a wide range of activity, from direct business support to strategic infrastructure investments, in the private, public and third sectors. The one consistent factor of proposals that will merit support will be that they improve the rate of innovation in Jersey and lead to significant employment creation. Economic Development has now developed proposals for how the Innovation Fund will be managed and operated. These are set out in the attached document: "Jersey Innovation Fund, Operational Terms of Reference – September 2012" (*see attached* Appendix).

In order to provide initial funding for the Jersey Innovation Fund, proposals were contained within the Medium Term Financial Plan 2013 - 2015 (MTFP). It was proposed and approved that the Fund be established with an initial allocation of £5 million, funded from part of the proposed redemption of JT Group Limited's 9% cumulative preference shares.

The purpose of this Proposition is to formally seek the States' approval to these proposals and to approve the basis on which the Jersey Innovation Fund will operate.

## 2. Establishment of the Innovation Fund

Under Article 3(3)(a) of the Public Finances (Jersey) Law 2005, the States may, on a proposition lodged by the Minister for Treasury and Resources, establish a special fund for specific purposes. Such approval is sought for the establishment of the Jersey Innovation Fund.

## 3. Initial funding of the Innovation Fund

In approving the MTFP 2013 – 2015, the States approved the following part of the proposition –

"(f) to approve, in accordance with Article 32(5)(a) of the Telecommunications (Jersey) Law 2002, the disposal by way of redemption of the States' 9% Preference Shares in the JT Group Ltd. with the redemption value of £20 million being applied, £15 million to the Capital Programme for 2013 to 2015 and the balance of £5 million for the Economic Development Department to provide funding for the proposed Innovation Fund;".

This Proposition seeks approval to transfer the  $\pounds 5$  million into the Jersey Innovation Fund.

#### 4. Purpose and operation of the Jersey Innovation Fund

The purpose of the Jersey Innovation Fund is set out in P.55/2012 – Economic Growth and Diversification Strategy – as approved by the States on 17th July 2012.

The Economic Development Department document, "Jersey Innovation Fund, Operational Terms of Reference – September 2012", which is attached as the Appendix to this Report, sets out how the scheme is intended to operate and be managed. Key features are –

- A new independent "Innovation Board" will be established, with a minimum of 2 members and a Chair from the private sector. There will also be representatives of Economic Development, Treasury and the Chief Minister's Departments on the Board.
- The Board will be responsible for the management of the Fund, assessing all applications and making recommendations to the Minister for Economic Development. The Board will be supported by a Fund Executive from the Economic Development Department (from within existing establishment).
- The Board will assess each application on a number of economic and commercial criteria, which will require the provision of detailed information from applicants. As a minimum, this will include an economic impact assessment undertaken by the Economic Adviser's Unit.
- The Board will make recommendations to the Minister for Economic Development in regard to each application.
- Support to businesses will be by repayable loans and grants. The aim is that support will mainly be by repayable loans, as EDD's medium-term aim is for the Fund to be self-replenishing.
- Any loans or grants to be made from the Fund will be authorised by the Minister for Economic Development.
- All loans and grants will be made in accordance with the Public Finances (Jersey) Law 2005 and comply with relevant Financial Directions.
- Each loan or grant will have a formal Funding Agreement signed before funds are released. This will include any specific clauses and set out the rights and obligations of both parties.
- Each agreement will be regularly reviewed by EDD for compliance with agreed terms, and the operation of the Fund will be subject to audit review.

#### 5. Specific matters arising

#### Approval of loans

The Jersey Innovation Fund is a new development, and in order to ensure its efficient operation, the ability to approve loans on a timely basis is essential. Additionally, the terms and conditions to be applied to each loan will potentially differ, based on the individual circumstances of each case, and will be recommended by the Board.

In order to address the different factors relating to the Jersey Innovation Fund and provide the necessary flexibility, the attached proposition seeks approval of the States to allow the Minister for Economic Development to authorise the grant of loans from the Fund, in accordance with EDD's document "Jersey Innovation Fund, Operational Terms of Reference – September 2012", and subject to sufficient monies being available in the Fund.

The arrangements for administering the repayment of loans will be agreed between States Treasury and the Economic Development Department.

#### Nature of the loans and grants made

Economic Development have identified that due to the nature of the new and innovative businesses being supported, not all "investments" will be successful, and there will be failures which may result in loans not being repaid or objectives not being met. This will be a reality and runs counter to the normal inherent "risk averse" nature of public finance accountability. Therefore a level of "failure" will need to be accepted by the States and be balanced against the positive benefits that the Jersey Innovation Fund is seeking to achieve. To minimise the risk of failure, it is essential that the framework for assessing applications to the Fund, as set out by EDD, must be rigorously applied and adhered to, along with robust ongoing monitoring of performance and risk.

#### Funds to be paid into the Innovation Fund

In addition to any sums the States may vote, the Fund will receive income by way of interest earned on the Fund balance. Further, any sums received by way of loan repayments, and any income received relating to clauses in individual Funding Agreements, will also be credited to the Fund. This is in accordance with Economic Development's aim of making the Fund self-replenishing.

In accordance with the Public Finances (Jersey) Law 2005, an investment strategy for the balances held in the Jersey Innovation Fund will be proposed. It is anticipated that this will be based on the same strategy that is in place for the Tourism Development Fund – where in order to meet the Fund's purpose the investment strategy set is to maintain the monetary value of the Fund, to provide a high level of security and a good level of liquidity to finance projects as required.

#### Accounting Officer

The Accounting Officer for the Jersey Innovation Fund will be the Chief Officer, Economic Development Department.

#### Future Developments

Following the launch of the Jersey Innovation Fund, the Treasury and Economic Development will develop the necessary proposals, for States approval, that will allow the Fund to make equity investment in privately-owned businesses. The aim is that the Minister for Treasury and Resources will bring forward a further Proposition to the States for approval of this element, within 6 months of the launch of the Fund.

#### 6. Financial and manpower implications

#### Operational costs

There will be costs associated with the operation and management of the Fund, particularly relating to assessment and approval of applications, e.g. company searches, due diligence work, legal costs and specialist advice. These costs will be met from the Fund.

It is intended that EDD will meet these costs in the first instance, and on an annual basis recharge them to the Fund. Agreed processes will need to be put in place to manage and control this.

The Economic Development Department estimates that the operational and management costs at this stage are  $\pounds 100,000$ .

#### Manpower implications

The Economic Development Department will allocate an individual to be the Fund Executive to support the Innovation Board and assist the management and ongoing operation of the Fund. This post will be from within its existing establishment and budget.

#### 7. Conclusion

This report along with EDD's document, "Jersey Innovation Fund, Operational Terms of Reference – September 2012" (*see attached* Appendix) outlines how the Jersey Innovation Fund, as approved in the Economic Growth and Diversification Strategy (P.55/2012), will be created, initially funded, managed and operated.

It is recommended that the Propositions to implement these measures are approved.

# APPENDIX

Jersey Innovation Fund

**Operational Terms of Reference** 

September 2012

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#### 1. Strategic context

On 17th July 2012, the States approved a new Economic Growth and Diversification Strategy (P.55/2012). The key objectives of the Strategy are to deliver growth, improve competitiveness, diversify the local economy and create employment. This will be achieved by the States working in partnership with the private sector and third sector organisations to deliver 4 strategic aims –

- 1. Encourage innovation and improve Jersey's international competitiveness.
- 2. Grow and diversify the financial services sector, capacity and profitability.
- 3. Create new businesses and employment in high value sectors.
- 4. Raise the productivity of the whole economy and reduce the reliance on inward migration.

To support the delivery of these aims, the EGDS proposed the creation of the Jersey Innovation Fund (JIF) to increase innovation in the Jersey economy and, by doing so, increase the Island's productivity, economic diversity and competitive advantage. The relevant extract from the EGDS is included at Appendix 1

The JIF will be capitalised with an initial £5 million allocation in the Medium Term Financial Plan (MTFP). Projects eligible for funding will range from direct business support for start-up, growth and inward investment, through to strategic infrastructure in the private, public and third sectors projects.

# All projects considered for support will, as one of their core outputs, improve the rate of innovation in Jersey and lead to job creation for Jersey residents.

## 2. Laws and Articles that allow for the Fund to be created

The Fund will be established pursuant to Article 3(3)(a) of the Public Finances (Jersey) Law 2005.

## 3. The Jersey Innovation Fund's operating model

The principle of governments encouraging, supporting and making investment into innovation is not a new concept; indeed Jersey is unusual in not having such support available to support economic development. The UK, Malta and Singapore are 3 good examples where government funds have, with significant success, been used to boost innovation. Whilst there are some common features, each jurisdiction has a unique operating model, eligibility and assessment criteria designed to support the specific priorities and objectives of the jurisdiction. That being said, analysis of Innovation Funds from across a number of jurisdictions allows operating models to be characterised into 3 main types:

#### 3.1 The Fund of Fund

A Government Fund managed by public sector fund managers who make strategic investments in a number of established private sector Venture Capital funds. The Government funding is directed towards Venture Capital funds that are of strategic importance; for example technologies or renewable energies. Coupled with private sector funding, these privately managed funds invest in private sector businesses. All investments are equity finance arrangements where a share in the company is taken in return for the investment. The returns on any government investments are linked to the overall performance of the venture capital fund and not linked to any one specific organisation.

## 3.2. The Partnership Fund

A Government managed fund that invites private sector venture capital fund managers to submit applications for co-funding to increase the availability of risk capital for early-stage and high-growth companies. Government does not own any equity in the private enterprises; this is retained by the venture capital organisation. Returns on any investments are linked to either the overall performance of the venture capital fund or a specific organisation.

#### 3.3 The Government Fund

A fund that provides financial support in the form of repayable loans and/or non repayable grants direct into a private sector enterprise. The fund is normally managed by an independent Board with members from both the public and private sector. The returns made on loans are linked to combination of arrangement fees, interest rates and special clauses allowing it to benefit from any increases in value, sales growth, or the licensing of any intellectual property.

#### An example of each is provided at Appendix 2

The Public Finances (Jersey) Law 2005 provides the legal framework, both to establish the JIF and to allow the Fund to provide support for projects in the form of loans or grants. Existing legislation would not allow the JIF to be used to make investments in private enterprise in exchange for equity in the business.

As a consequence, it is proposed that the JIF will launch and initially operate as a Government Fund (see 3.3 above) making available financial support in the form of repayable loans or non-repayable grants. The assumption is that the majority of support will be provided in the form of repayable loans, with conditions that allow the JIF to realise enhanced returns if the business were to be successful and/or sold for significant gain. It is envisaged that non-repayable grants will only be considered in exceptional circumstances.

Following the launch of the JIF, the Treasury and Economic Development will develop the necessary draft legislation, for States approval, that will allow the Fund to make equity investment in privately-owned business. This will require an element of the JIF to be operated as a Partnership Fund, as described in 3.2 above. The aim is that the Minister for Treasury and Resources will bring forward a further Proposition to the States for approval of this element of the JIF within 6 months of the launch of the Fund.

The aim of the JIF is that it should be self-replenishing and NOT a sinking fund. As a consequence, all grants and loans offered will have conditions that allow the JIF to realise enhanced returns if the business were to be successful and/or sold for significant gain. In all cases, any returns from clauses attached to any grants or loans will be returned back to the Fund.

#### 4. Definition of grants and repayable loans

Within the first 6 months of operation the types of financial support available from the JIF will be restricted to repayable loans and non-repayable grants. In both cases, the Minister for Economic Development will have the option to approve specific clauses or conditions to safeguard the States of Jersey and allow it to benefit from, but not be limited to, any significant increase in the value of the enterprise, a move to another jurisdiction, a significant increase in revenues or other commercial opportunities resulting from the original investment.

The option to provide either a repayable loan or grant provides the opportunity to support fully commercial projects in innovation, or projects that would not proceed without grant assistance from the JIF. In all cases, projects supported by JIF must clearly demonstrate that, in the success case, they have the potential to deliver economic and commercial returns. The assumption is that the majority of support offered will be through repayable loans, with grants only offered in exceptional circumstances.

Any financial support offered (loan or grant) will comply with all aspects of the Public Finances (Jersey) Law 2005 and the States of Jersey Financial Directions. Any grant or repayable loan would be the subject of a detailed Funding Agreement. Each Funding Agreement will be unique to the project and include details of any specific clauses, the rights and obligations of both parties and contain the following as a minimum –

- Name of the investee
- Description of the financial support (loan/grant)
- Purpose of the loan or grant
- States' strategic aims and objectives supported
- Amount of the support
- Payment terms and timing
- Repayment terms of the loans
- Interest rates of approved loans
- Royalty obligations
- Other special conditions attached to the funding support
- Treatment of royalty or loan defaults
- Arrangements for repayment or early repayment
- Explanation of the corporate governance framework
- Explanation of disclosure of the support in the States of Jersey Annual Accounts
- Clear explanations of what each party is expected to provide, including any reports and/or statements
- Any conditions attached to the support and criteria for measurement of whether investment conditions have been fulfilled
- Arrangements for repayment of the loan or grant in the event of non-performance or non-compliance
- Rights of access for departmental officers and the Comptroller and Auditor General
- Arrangements for the purchase and disposal of any assets to be acquired using the grant.

# 4.1 Definitions of the types of financial support available

## Loans are defined as:

a sum of money advanced from the Fund to a party for a limited period of time and repaid with interest calculated on the balance outstanding.

#### Grants are defined as:

a transfer of money to an individual or entity in return for future compliance with certain conditions relating to the activities of the individual/entity.

#### 4.2 **Obligation to pay interest on all loans**

The company receiving a loan from the Fund will be obliged to pay interest on the amount borrowed. The terms and interest rate will be determined through consultation between the Board, the Treasurer of the States and the Minister for Economic Development.

#### 4.3 **Obligation for payment of royalties**

At the discretion of the Minister for Economic Development, any project receiving support from the JIF may be required to pay royalties. The scale and scope of royalty payments will be defined in the Funding Agreement. For instance, if the Minister for Economic Development approves a grant or repayable loan for research and development support which may lead to the commercial development of products or services, the Minister shall, based on professional advice, decide income from products or services which may be subject to royalty payments and how the amount of royalties should be calculated as a percentage of income. The products/technology on which royalties are to be paid shall be specified in the Funding Agreement.

Royalty-liable revenues would be recorded separately by the company and paid in accordance with terms and conditions defined in the Funding Agreement. The sale price requiring payment of royalties would be the full price recorded by the company in its accounts and audited statements. The only expenses that would be deducted from the sale price are those due to purchase taxes.

To remove any doubt, the Funding Agreement will document the exact details of all loan and royalty payments. The Funding Agreement will be a binding agreement between the parties and must be signed by the Minister for Economic Development before any funding is released.

#### 5. Management and Governance of the JIF

A new independent Innovation Board ("**the Board**") will be established. The Board will consist of an independent chair, a <u>minimum</u> of 2 private sector members plus, in an *ex officio* capacity, one representative from the Economics Unit of the Treasury, and the Economic Development Department's Chief Officer. The Board will review every application and make recommendations to the Minister for Economic Development to approve or reject an application. The Board will not have authority to approve any funding. The Minister for Economic Development will have sole responsibility for approving or rejecting all grants or loans from the Fund.

The Economic Development *ex officio* representative on the Board is also the Department's Accounting Officer. To protect this position, avoid any possible conflicts of interest, and to allow the Chief Officer to provide independent advice to the Minister for Economic Development, the Chief Officer will not have any voting rights in his capacity as a Board member.

The private sector representatives will play a critical role in assessing the likely success of the project, so extensive commercial experience in a related role will be a pre-requisite.

The Board will be supported by a JIF Executive, provided by the Economic Development Department. The JIF Executive will be responsible for administrative and secretariat functions. In addition, the JIF Executive will have responsibility for ongoing management, aftercare and monitoring of all investments made, and for reporting to the Board on these matters on a regular basis.

The JIF Executive will also have lead responsibility for -

- Receiving and co-ordinating all applications;
- Undertaking initial and appropriate levels of due diligence;
- Preparing the Business Case on behalf of the Board for the Ministers' consideration;
- Preparing the Funding Agreement in association with the Law Officers' Department;
- Providing aftercare and ongoing monitoring of approved projects;
- Establishing a risk register for all projects;
- Managing the risk register, which must be updated every 6 months, registering every 6 months and notifying the Board, the Minister for Treasury and Resources, the Treasurer of the States and the Minister for Economic Development of any changes;
- Drafting the Annual Report for the Board to approve.

The Board, as appropriate, will also draw on other expert opinions to provide comprehensive due diligence when considering and assessing applications. This will include, but not be limited to, technical expertise, market intelligence, financial due diligence, and company or patent searches.

In every case and during the assessment process, the States of Jersey Economic Adviser's Unit will undertake an economic impact assessment and present a written report to the Board, which they will use in considering and assessing the project from an economic prospective.

The Board, after being fully satisfied with the due diligence checks, reviewing the expert and economic opinions and a detailed analysis of the proposal, will make a recommendation to the Minister for Economic Development to approve or reject the project. The recommendation will be presented using the Business Case template which is based on H.M. Treasury Green Book best practice (*see* Appendix 3).

The Board, which will act in an advisory capacity, will be responsible to the Minister for Economic Development. The Board will, at all times, ensure that the JIF operates within both the Public Finance Laws and any current or future Financial Directions. Board Members will also operate within an approved corporate framework and publish an annual report that will be presented to the States.

Private sector Board Members will be appointed through a process overseen by the Appointments Commission. Public Sector Board Members will be appointed by the Minister for Economic Development. Board Members will not be remunerated.

Board members will be appointed for a period not exceeding 3 years. A member of the Board will cease to serve before the 3 year term if -

- they resign;
- they cease to be employed as a civil servant of the States Department they are representing; or
- with respect to a private sector representative, they commence employment with the States of Jersey as a Civil Servant.

Board members will be expected to declare an interest and not consider an application where there is any risk of a conflict of interest. Conflict arises where an individual's obligation to further the purposes of the Board is at odds with their own financial interests. For this reason, members will be required to abide by the 7 principles of public life set out in the Nolan Report, attached at Appendix 4.

#### 6. Risk

No form of financial support comes without a level of risk. It is acknowledged, by the nature of the projects supported, that some will fail. This may result in a loan not being repaid, the non-payment of royalties, or a grant supported project not delivering the desired outcomes.

Although the pre-investment due diligence, plus the post-investment monitoring and assessment process are designed to minimise risks, it is important to acknowledge that it is impossible to operate a fund of this type without accepting some level of risk.

#### 7. Scope of the Jersey Innovation Fund

The Fund will be used to fund projects across all sectors but targeted and prioritised towards –

- Attracting new innovative businesses to the Island. This is an important part of the inward investment proposition and supports Government's commitment to enhancing its ability to attract and create new high-value jobs.
- Assisting early-stage high-value start-up enterprises with access to working capital to enable the Fund to invest in innovation.
- Supporting established business with high-growth potential to invest in innovation.
- Financing research projects that may improve the Island's competiveness.

- Funding enabling investments in infrastructure.
- Seed-funding for businesses developing new products/services/processes.
- Funding for businesses to establish better links with universities, with the objective of commercialising academic IP.

# 8. Financial and manpower implications

#### Operational costs

There will be costs associated with the operation and management of the Fund, particularly relating to assessment and approval of applications, e.g. company searches, due diligence work, legal costs and specialist advice. These costs will be met from the Fund. It is intended that EDD will meet these costs in the first instance and on an annual basis recharge them to the Fund. Agreed processes will need to be put in place to manage and control this. The Economic Development Department estimates that the operational and management costs at this stage are £100,000.

## Manpower implications

The Economic Development Department will allocate an individual to be the Fund Executive to support the Innovation Board and assist the management and ongoing operation of the Fund. This post will be from within its existing establishment and budget.

## 9. Reporting

Copies of the signed minutes of all Panel meetings will be sent to the Minister for Economic Development. An annual report on the management, operation and details of all the investments made will be prepared and sent to the States. All reports published will comply with the States of Jersey Principles of Reporting.

## 10. Audit

The management of the Fund will be subject to appropriate audit review as determined by the Audit Committee.

## 11. Assessment framework

To demonstrate the extent to which an application might meet the criteria of the Fund, the independent Board will have a consistent and objective methodology to compare projects which may exhibit quite different characteristics.

In particular, the Board will have a robust approach to considering the impact a project might have on employment, competitiveness and innovation, and an objective measure of whether a project can be considered to encourage high value to be added, high quality or high productivity activity. The Board will also consider the likely short- and long-term commercial viability of the project.

In order to complete a thorough assessment of all potential projects, certain information will be required. A summary of the information required for every project is set out below -

- 11.1 The applicant
  - Name of applicant.
  - Company sector and project sector.
  - Country of residency/ownership.
  - Recent Trading Results and Trading Projections.
  - > Three years' company accounts, including the most recent audited accounts.
  - Business Plan with sales projections and commentary explaining any change in revenues, costs, margins, etc.
- <u>11.2</u> The Project (proportionate to the size and complexity of the proposed project)
  - Description of project.
  - > Details of any additional facilities/plant/buildings required.
  - > Rationale for the project/what alternative projects have been considered?
  - Will the project result in any new products?
  - ➤ Timescales.
  - > Amount and type of assistance sought.
  - > Other sources of finance and need for further finance.
  - > Clear evidence that any other necessary funding has been secured.
  - Evidence that all alternative funding has been exhausted (e.g. letters from bank).
  - > Evidence that further funding is required (demonstrable finance gap).
  - Supply chain expenditure: any inputs purchased from local companies.
  - Innovation: existing level of innovation; what innovation will be undertaken as part of the project; details of any specific expenditure on innovation.
  - Training/Skills development: details of any training that will be undertaken general/specific, on-the-job/classroom, qualifications, etc.
  - Knowledge transfers: is there any collaboration with other businesses or knowledge bases?
  - Counter-factual: what will happen in the absence of assistance and what is the rationale/evidence for this?
  - Market analysis of current and anticipated market share, main competitors, etc.
  - ➢ Employment impacts.
  - Number of full-time equivalent staff job titles, wages, skill levels, longevity, recruited from locally-qualified or non-local.

#### 11.3 The Assessment

- <u>Commercial</u>
- Commercial/Market Assessment How realistic are the trading forecasts?
  - $\succ$  Is there a market for the product?
  - ➢ Is the market growing?
  - Who are the main competitors?
  - > What is the likely response of competitors?
  - > Are there any risks to the market, e.g. exchange rate risks?
  - > Technical Assessment how innovative is the project?

Viability/Sustainability

- > Will the project earn sufficient profits to be sustainable?
- > Are trading forecasts realistic based on the market prospects?
- ➤ Assessment of the quality of the management team.
- Are financing arrangements sustainable?

#### Environmental/Social Factors

- <u>Economic</u>
- Incremental Value Added:
  - Difference between the value added of the project and the counterfactual.
  - Will be scored high/medium/low compared to Jersey average.
- Wider Costs/Benefits:
  - Supply Chain Value added of any additional spend in the local supply chain.
  - Opportunity Cost:
    - For locally qualified employees, the opportunity cost is the most likely alternative employment (or unemployment) to the project.
    - For non-locally qualified employees, the opportunity cost is the potential to import labour for a different project/firm, potentially in a different sector.
  - Innovation Spill-overs:
    - Scored high/medium/low potential for spill-overs, based on the characteristics.
    - Monetised where possible, based on the level of expenditure.
  - Training Spill-overs:
    - Scored high/medium/low potential for spill-overs, based on the type of training.
  - Other Wider Impacts
    - Only wider impacts e.g. displacement from other Jersey business, competition impacts, etc.
- <u>Budgetary Impacts</u>
  - Cost of Assistance, including all costs to other parts of government.
  - Direct Revenues e.g. loan repayments, royalties, dividends.
  - Tax Impacts income tax, corporate tax, potential GST impacts.
- Employment Impacts
  - Number of new FTE jobs.
  - Sustainability of jobs.
  - Quality of jobs:
    - Skills (high, medium, low).
    - > Productivity at end of project (plus assessment of high, medium or low).
    - Average wages (high, medium, low).

#### • <u>Other Assessments</u>

In addition to the assessment to be carried out by economists, the Economic Development Department will ensure that a number of other assessments are completed. Again, these will be carried out to a level proportionate with the size and complexity of the proposed project. The information from the below assessments will both feed into and sit alongside other assessments being considered by the Board.

Additionally - Will the project go ahead without assistance?

- > What is the return on investment without support?
- ➢ How risky is the project?
- ➢ Is alternative finance available?
- > Is there another, more profitable location outside Jersey?

#### 12. Recommendation and approval framework

The Board, after completing the appropriate levels of diligence and assessment, will determine if the project should be rejected, or proceed with a recommendation to the Minister for Economic Development to approve the project using the draft Business Case Template attached at Appendix 5. The recommendation, signed by the Chair, will include all terms and conditions, interest rates, repayment terms on loans, royalty obligations and special clauses that are to be attached to offer of support.

The Minister for Economic Development, if he approves the Board recommendation, will record his decision by signing a Ministerial Decision. There is no right of appeal against either the Board's recommendation or the Ministerial Decision.

#### EXTRACT FROM P.55/2012

# Strategic Aim 1: Encourage innovation and improve Jersey's international competitiveness

The States has a role to play, in partnership with business, in encouraging innovation that will improve the Island's competitive advantage in an increasingly competitive international market place. Innovation encompasses a wide range of activities from research and development, to organisational change, training, testing, marketing and design. It contains products, services and other solutions that that can be new to the business or the international market. Businesses commonly under invest in innovation and, as a consequence fail to realise their potential. Government policy and financial intervention can remove barriers, bottlenecks or obstacles that impede the innovation process.

To achieve this strategic aim, a new Innovation Fund is proposed. The aim of the Fund is to support innovation and will be available to support a wide range of activity from direct business support to strategic infrastructure investments, in the private, public and third sectors. The one consistent factor of policies that merit support will be that they improve the rate of innovation in Jersey and lead to significant employment creation.

The priority is to:

1.1 Establish a new Innovation Fund pursuant to Art 3(3)(a) of the Public Finances (Jersey) Law 2005 – managed by EDD, with an independent Board including EDD, Treasury and Resources, and Chief Ministers' Department representatives and non-Executive Directors drawn from the private sector. The Board will have responsibility for evaluating all applications for support and, following thorough analysis, making recommendations to the Economic Development Minister. The fund will make investments in private and public sector projects to drive greater innovation in Jersey and improve competitive advantage.

The Minister for Treasury and Resources will bring forward detailed proposals for the Innovation Fund to the States for approval in the fourth quarter of 2012 however the Fund will have the following structure:

- Investments will only be made in projects that clearly demonstrate a significant leverage in terms of improving Island competitiveness, infrastructure improvements, developing innovation and diversification towards high value activity that creates good jobs for local people. Projects will also have to demonstrate how the investment will deliver wider economic benefits to the Island.
- The fund will be used to support projects across all sectors, from enabling investment in ICT infrastructure, to additional support to attract innovative businesses to the Island

- The Innovation Fund will increase the availability of risk capital for high value growth companies, and is central to the Islands strategy for economic growth and diversification. The fund will support private, public and third sector projects that can clearly demonstrate the following:
  - 1. Creation of employment for Jersey residents
  - 2. Return on investment in terms of economic benefit for every £1 spent from the Fund
  - 3. A quantifiable impact on competitiveness and innovation in sectors which Jersey can demonstrate a comparative advantage (measured by increased market share)
  - 4. Encouraging high value added, high quality, high productivity economic activity
  - 5. A strong case for States support through alignment with States Strategic Plan priorities, in particular in areas where market failure is presenting a barrier to innovation.
- The Fund will be used to support projects across all sectors through:
  - 1. Additional support to attract new innovative businesses to the Island.
  - 2. Direct support to innovative businesses that may be unable to find finance.
  - 3. Finance for research and development opportunities.
  - 4. Enabling investment in ICT infrastructure.
  - 5. Seed funding for new products/services/processes.
  - 6. Funding for businesses to establish better links with university research
- Eligibility will not be sector-specific but all applications for support must demonstrate, as a minimum:
  - 1. The impact directly/indirectly in terms of expected profits/revenues/ employment in future years.
  - 2. What efforts have been made to access private sector funding
  - 3. Why private sector funding is not available
  - 4. How the project will bring wider benefits to the Jersey economy
  - 5. What funding is necessary and how the Island will benefit
- Applications will be assessed on a consistent and objective basis and only projects that meet the required criteria and score highly will be progressed. In particular:
  - 1. Dedicated Officer support will check and make sure compliance in terms of information/key criteria (those that do not will not go forward to the Officer Board).
  - 2. The Officer Board will consider applications and decide whether they merit more detailed consideration.
  - 3. Projects that merit further consideration would be assessed on their net economic impact by the Economics Unit and in terms of financial code, etc. by Treasury and Resources (and other officers where appropriate).

Given the competitiveness of the inward investment market it is particularly important that the proposed Jersey Innovation Fund has access to significant resources, of a scale capable of standing comparison with competitor offerings.

Evidence from the UK, Singapore, Malta, Northern Ireland and elsewhere clearly demonstrates that an Investment Fund can make a real difference by supporting the wide range of policies intended and enhance the rate of innovation. The Funds being managed in the aforementioned jurisdictions vary in size and eligibility. Details of these Innovation Investment Funds and the benefit are detailed in Appendix 1.

Whilst the scale of the problems in Jersey do not match those in the UK Europe or elsewhere it is essential that sufficient resources are allocated to the Innovation Fund to deliver results and attract matching investment. In this respect it is proposed that the new Fund be created with an initial investment of  $\pounds 10$  million from Treasury.

The performance of the Innovation Fund will be monitored by the Treasury and investments in the Fund will be subject to annual audit, the results of which will be presented to the States.

Success for this Strategic Aim will be to have established a fund, and assessment framework, that could be used for strategic investments into innovation and new technologies that would deliver a competitive advantage for Jersey, attract additional private sector investment and create new high value businesses resulting in significant new job opportunities in a more diversified economy.

#### EXAMPLES OF INNOVATION FUNDS

#### Model 1: The Fund of Fund

Example: The UK Innovation Investment Fund (UKIIF)

The UK Innovation Investment Fund operates on a Fund of Funds structure, which means it does not invest directly in companies, but rather invests in a small number of specialist, private sector technology funds that have the expertise and track record to invest directly in technology businesses. By increasing the supply of venture capital to these funds, the UKIIF drives investment in high-growth businesses, start-ups and spin-outs which are finding it difficult to raise finance in the current economic climate.

The UKIIF had an initial investment of £150 million from H.M. Government, and has the ambition of increasing the value of the Fund to £1 billion. This money is invested in a small number of technology venture capital funds, operated by experienced and successful venture capital fund managers, with the expectation that the majority of the money would be invested in sectors such as life sciences, low carbon and clean technologies, ICT and digital and advanced manufacturing. The underlying funds are invested in companies that require equity finance at all stages of development, from seed and early-stage funding through to later-stage financing.

Types of investments – Equity finance.

#### Model 2: Partnership Fund

Example: Innovation Fund Ireland

Ireland has up to  $\notin 250$  million available and runs dong 2 parallel tracks. The first one comprises a  $\notin 125$  million pool of funds provided by the Exchequer and managed by Enterprise Ireland. Managers of private equity funds/firms are invited to submit applications. Successful applicants who receive an investment from Enterprise Ireland will have to commit to investing an equivalent amount in Irish companies or companies with significant Irish operations over the lifetime of their fund.

The second one is for a similar amount and is designed to allow Ireland's National Pension Reserve Fund to make a similar level of commercial investments.

Fund managers must meet, at a minimum, the following criteria to be considered for investment –

An established global profile and network with a reputation for market leadership in venture capital investment.

A proven track record of raising funds and generating superior returns for investors.

A capacity to access high potential international investment opportunities with an investment team capable of attracting world-class entrepreneurs.

An intention to establish a new and substantial presence in the venture capital market in Ireland and a willingness to invest a meaningful proportion of their venture capital fund in Irish companies or companies with significant Irish operations.

The Innovation Fund Ireland has been created to increase the availability of risk capital for early-stage and high-growth companies, and is central to the Irish Government's strategy for economic recovery. Government does not own any equity in the private enterprises benefiting from the risk capital available from the Fund.

#### Model 3: The Government Fund

Example: The Office of the Chief Scientist, Israel

The Office of the Chief Scientist (OCS) of the Ministry of Industry, Trade and Labour (MOITAL), empowered by the Law for the Encouragement of Industrial Research and Development 1984 (R&D Law), oversees all Government sponsored support of R&D in the Israeli industry. This broad spectrum support stimulates the development of innovative state-of-the-art technologies, enhances the competitive power of the industry in the high-tech global market, creates employment opportunities and assists in redressing Israel's balance of payments. In addition to its domestic activities, the OCS is involved in a myriad of bi- and multi-national industrial R&D agreements.

The OCS annually supports hundreds of projects from incipient concepts within a preseed framework, followed by support of incubator and start-up companies through autonomous industrial R&D enterprises. The support is directed toward the development of novel products based on new and innovative technologies throughout the entire industry, in well-established as well as new companies, and in both the hightech and traditional sectors. This support also extends to a broad range of co-operative ventures with foreign commercial entities. The support is structured and delivered via a wide range of separate schemes-(a few examples below).

#### 1. <u>Pre-Competitive R&D</u> Support via:

Magnet Consortium Supports the formation of consortia made up of industrial companies and academic institutions, in order to jointly develop generic, precompetitive technologies. The duration of a Magnet Consortium is 3–5 years.

Grants are up to 66% of the approved budget for industry and up to 80% for the academic institution. No royalty payments.

Katamon Promote water technology projects by triple co-operation between industrial company, academic research group and water infrastructure company. The Project's budget is up to US\$1 million, and its duration is up to 30 months. Grants are up to 50%. No royalty payments.

Research Institutes: Supports R&D programs carried out by Research Institutes Grants are up to 90% of approved budget.

#### 2. <u>Pre-Seed</u>

<u>Thufa</u>: Encourages and supports technological entrepreneurship and innovation at preseed stage. Assists individual inventors and start-up companies during early stages of projects. Includes evaluation of technological and financial feasibility, preparation of patent proposal for submission to authorities, construction of prototype, preparation of business plan, establishing contact with the appropriate industry representatives, as well as attracting investors. Grants of up to 85% of approved expenses for a maximum of \$50,000 for each project. Royalty Payment conditions can apply. Europe's R&D Framework Agreement – ISERD.

Grants to SMEs are 75% of the full cost with real overheads. Large industrial partners will receive 50% of the full cost with real overheads.

Eureka

Eureka is the largest European program for Industrial R&D, supported by nearly 40 member states. Israel is a full member in Eureka since 2000. Being nonbureaucratic and SME-friendly, over 40% of Eureka project participants are small/ medium enterprises (SME) – including start-up companies.

Israeli companies participating in the program receive R&D grants from the OCS.

**Bi-national Funds** 

The programs enable the participation in joint R&D projects with foreign counterparts. Grants are up to 50% of R&D expenses of each company from each state.

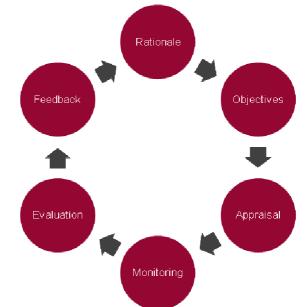
The CSO invests approximately  $\leq 230-460$  million each year through various support mechanisms projects in traditional industries, and innovation projects in the fields of nanotechnology, biotechnology and clean-tech sectors. Each scheme has its own assessment evaluation and assessment criteria. Israeli firms applying for a grant can receive up to 50% of the project costs. In exchange, the firms are obliged to pay royalties if the project's outcomes become commercial. The royalty agreements are a condition of the grants or loan and act as the safeguard for longer-term rewards.

All applications for funds are considered and approved by a Research Committee. Membership includes the head of administration of the fund, 2 representatives of the Ministry and Trade, 2 representatives of the Ministry of Finance, 2 representatives from the private sector, and a representative from the public with at least 10 years' experience in business or industrial management. Appointments to the Committee are for a 3 year period.

The UK Regional Growth Fund (RGF) represents a prime example of the type of Fund under consideration. This £2.4 billion Fund operating across England from 2011 to 2015 supports projects to create economic growth and sustainable employment in local communities. The first 2 rounds of RGF have been very successful – conditional allocations were made to 176 bidders, which will leverage over £7.5 billion of private sector investment and deliver around 330,000 jobs.

#### H.M. TREASURY GREEN BOOK BEST PRACTICE

The UK Treasury "<u>Green Book</u>" is widely acknowledged as best practice for public sector investment appraisal. There are 10 key steps for preparing a Business Case, and these steps form part of the "Green Book's" Appraisal and Evaluation Cycle, which they formalise as the acronym "ROAMEF". ROAMEF stands for (Rationale, Objectives, Appraisal, Monitoring, Evaluation and Feedback). This is shown within the "Green Book" as –



#### The 10 key steps are -

- 1. Strategic Context
- 2. The Need for Investment / Disinvestment or Policy Development
- 3. Objectives & Constraints
- 4. Identify Options
- 5. Identify & quantify option costs and benefits
- 6. Appraise Risks
- 7. Calculate NPV & assess uncertainties
- 8. Identify non-monetary costs & benefits
- 9. Presenting the results of the option appraisal
- 10. Action/Project Plan for implementation

#### 1. Strategic Context

The opening section will clearly define the project and describe where it fits within the strategic context of EDD. The case must be consistent with our objectives and should clearly demonstrate and evidence this.

#### 2. The need for Investment, Disinvestment

The Business Case should present the rationale for the proposal, clearly stating why we need to invest in this project. Remember – public funding should not displace private sector funding and you will need evidence of market failure to support your case. The case should also consider the opportunity cost for the department of investing or disinvesting in other projects and prioritising this project against other demands.

#### 3. Objectives & Constraints

This section of the Business Case clearly states the project objectives, i.e. what the proposal intends to achieve. This should be stated in terms of outcomes, outputs and targets that must be measurable.

#### 4. Identify Options

It is important to demonstrate that you have considered all the options, including the "Do Nothing" option. There are always at least 2 options: a "Do Nothing" and "Do Something".

#### 5. Identify Options and Quantify their Costs & Benefits

Quantify the benefits and costs of each option for the duration of the project.

#### 6. Appraise the Risks

Identify the key risks and assess their likelihood and impact should they occur. For complex and very large schemes, there are numerous techniques of appraising risk, including undertaking a sensitivity analysis and an optimism bias.

#### 7. Calculate NPV & Assess Uncertainties

Appraising the use of States cash and apply a Discounted Cash Flow Analysis, sometimes referred to as DCF. Again, your Finance team will help you with this.

#### 8. Identify Non-monetary costs & benefits

For each option, it is important to assess the non-financial impacts, such as the consequences for local employment, and other social considerations including those environmental, economic, political and legislative.

## 9. Presenting the Results of the Option Appraisal

The ultimate outcome of the Business Case is to decide which option to select (including the "Do Nothing" Option).

## 10. Action/Project Plan for Implementation

An action/project plan agreed with key milestones in order to ensure that the project is viable. Used to evaluate and monitor its progress during and after implementation.

#### NOLAN PRINCIPLES

Principles of Public Life

Selflessness – Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity – Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity – In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability – Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness – Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty – Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership – Holders of public office should promote and support these principles by leadership and example.

#### **APPENDIX 5**

#### APPLICATION BUSINESS CASE TEMPLATES

#### **Economic Development Department Business Case**

Project Name	Submitted by	<b>Project Sponsor</b>	Project Code
Insert Project name	Name of Manager e-mail address Tel No	Insert Sponsored Project Director name & contact	EDD Co-ordinator will provide Code – See Jane De La Haye on 01534 440665 <u>j.delahaye2@gov.je</u>

Recipient of Funding		
Internal		
External		

#### The need for Investment

*The States of Jersey (SOJ) have clearly defined priorities & objectives. Economic Development Department (EDD) main focus is (1) & (2) in the boxes below. Please describe how your project will contribute to these priorities.* 

(1) Get people into work

For example. Does this project create or safeguard jobs?

(2) Managing population growth & immigration

For example. Does this project train local people to fulfil a skill gap?

The other SOJ proprieties are listed below. Again, please describe how your project may contribute to these priorities?

(3	) Promoting	familv	& co	mmunity	values
(0	/				

- (4) Reform Health & Social Services
- (5) House our Community
- (6) Reform Government & the Public Service

(7) Sustaining long term planning

Specify how the project meets these priorities (if any).

#### The EDD key objectives are;

- 1. Encourage innovation & improve Jersey's international competitiveness
- 2. Grow the financial services sector capacity and profitability
- 3. Create new businesses and employment in high value sectors
- *4. Raising productivity in the whole economy and reducing the reliance on inward migration*
- 5. Continue to improve the efficiency and effectiveness across the department

Please describe below your project contributes & supports any or all of these?

Specify how the project meets these objectives.

## The Project Benefits

Against the Strategic priorities & EDD's key objectives, please <u>quantify</u> the outputs or outcomes of your proposal, for example, Number of jobs safeguarded or new businesses created & in what time period. Ensure they are consistent with SOJ & EDD priorities & objectives

#### **Project Description**

Briefly describe the project (Max 150 Words on this form as a summary, but you can submit a submission as an Appendix if it is appropriate.)

#### If this is a 3rd Party Project? (i.e. Grant, Subsidy, Sponsorship, Gift)

- Provide details of the Grant & type.
- Why do they need the funding? Evidence this with the latest financial statements or audited accounts.
- Why this organisation?
- You need to show some evidence that there has been some due diligence been completed and that there are effective controls in place to ensure delivery and effective use of public money in accordance to SOJ Financial Directions 5.5.
- You have the option for the sections below for the 3rd party to complete these on your behalf, but these must be signed off by your Sponsoring Director.

# Have you consulted with key stakeholders?

For example, Scrutiny, Police, Economic Advisor, HR, Education, Health, Planning, Legal etc. If so, please describe and evidence (Appendix).

# **Project Objectives & Constraints**

Describe the objectives of this project and any constraints.

Objectives	Measures – Lead & Lag
Objective 1	
Objective 2	
Objective 3	
Objective 4	
Constraints	

# **Options Summary** (there are at least two)

		Costs	Benefits	Preferred Option Ranking (i.e. 1 to 5)
1	Do Nothing			
2				
3				
4				
5				

# **Recommendation of the preferred option**

State why the preferred option scores more highly against the evaluation criteria than the other options.

# Option 1 – Do

Do Nothing

#### 1.1 Describe the Option

Description of Option

# 1.2 Key Assumptions

Describe the key assumptions Service required Growth/saving assumptions Timing Revenue streams

# 1.3 Key Financial Indicators

Capital/Set-up Cost Revenue Costs NPV if required

#### 1.4 Risk Assessment

What are the potential risks? How will they impact? How likely will it occur?

#### 1.5 Assessment against the project objectives

Project Objectives	Weighting	Score Against Objective	Weighted Score
Objective 1			
Objective 2			
Objective 3			
Objective 4			
TOTAL WEIGHTED SCORE			

# **Option 2** –

#### 1.1 Describe the Option

Description of Option

#### 1.2 Key Assumptions

Describe the key assumptions Service required Growth/saving assumptions Timing Revenue streams

## 1.3 Key Financial Indicators

Capital/Set-up Cost Revenue Costs NPV if required

#### 1.4 Risk Assessment

What are the potential risks? How will they impact? How likely will it occur?

#### 1.5 Assessment against the project objectives

TOTAL WEIGHTED SCORE							
TOTAL WEIGHTED SCORE							

# **Option 3** –

# 1.1 Describe the Option

Description of Option

#### 1.2 Key Assumptions

Describe the key assumptions Service required Growth/saving assumptions Timing Revenue streams

## 1.3 Key Financial Indicators

Capital/Set-up Cost Revenue Costs NPV if required

#### 1.4 Risk Assessment

What are the potential risks? How will they impact? How likely will it occur?

#### 1.5 Assessment against the project objectives

Objective 2  Image: Constraint of the second secon	vjectives	Weighting	Score Against Objective	Weighted Score
Objective 1				
Objective 3	1			
	2			
Objective 4	3			
	4			
TOTAL WEIGHTED SCORE	EIGHTED SCORE			

# **Option 4** –

#### 1.1 Describe the Option

Description of Option

#### 1.2 Key Assumptions

Describe the key assumptions Service required Growth/saving assumptions Timing Revenue streams

## 1.3 Key Financial Indicators

Capital/Set-up Cost Revenue Costs NPV if required

#### 1.4 Risk Assessment

What are the potential risks? How will they impact? How likely will it occur?

#### 1.5 Assessment against the project objectives

This scoring can be used for assessing and ranking your chosen options.

The preferred option should closely meet with the projects objectives. You may wish to Weight your score in terms of importance of your objectives, but this must be the same for each option so that there is a like for like comparison. If so please describe the weighting criteria.

Project Objectives	Weighting	Score Against Objective	Weighted Score
Objective 1			
Objective 2			
Objective 3			
Objective 4			
TOTAL WEIGHTED SCORE			

# **Option 5** -

# 1.1 Describe the Option

Description of Option

#### 1.2 Key Assumptions

Describe the key assumptions Service required Growth/saving assumptions Timing Revenue streams

## 1.3 Key Financial Indicators

Capital/Set-up Cost Revenue Costs NPV if required

#### 1.4 Risk Assessment

What are the potential risks? How will they impact? How likely will it occur?

#### 1.5 Assessment against the project objectives

# Project Plan for recommended option

The Project Plan demonstrates how the proposal is going to be delivered. You will need to identify key personnel roles i.e. Who is doing what and when.

You may want to include a detailed Project Plan as an Appendix.

In simple terms we are at least looking for:

Key Milestones	2012	2013	2014

# **Quantify Project Resource Requirements**

Insert cost details & timescale For example.

	2012 (£)	2013 (£)	2014 (£)
Capital Costs			
TOTAL CAPITAL COST			
Revenue Costs			
Set up one off costs			
Staff Costs			
Other recurring costs			
e.g. Marketing			
Maintenance			
TOTAL REVENUE COST			

Key Risks		
List the Key Risks to this Project. You may want to include a full Risk Ass	ressment, which assesses each risk, and how these risks can be	mitigated.
Signature & Date	Signature	Date

Office Use Only		
Received	Date	
Validated by		
Action		

Accept	Reject	Other	
		Please specify	

	Signature	Date
Approved by ED		
Minister		
	Name & Position	

Version	Date	Changed by	Changes

## PROCESS MAP: SUMMARY

