

**Regulations governing participation of foreign startup teams in project
“The offer of the Pomeranian startup ecosystem for foreign, innovative business ideas”**

These Regulations specify the principles for intake of foreign startup teams for project ““The offer of the Pomeranian startup ecosystem for foreign, innovative business ideas” operated by Gdańska Fundacja Przedsiębiorczości and participation in the Project. It is the purpose of the intake to select 18 startup teams from foreign markets (the United Kingdom, Germany, Nordic Countries, the US and Canada) to take part in project “The offer of the Pomeranian startup ecosystem for foreign, innovative business ideas” which is designed to effectively include foreign businesses into the Polish startup ecosystem. The project shall encompass the following stages: scouting, softlanding, acceleration and post-acceleration and shall be completed with the support from the Polish Agency for Enterprise Development under Smart Growth Operational Programme 2014-2020, priority axis II: Support for the environment and capacity of enterprise for R&D&I activity. Action 2.4 Cooperation under a national innovation system. Subaction 2.4.1 Centre for analyses and pilot schemes of new instruments inno_LAB.

Glossary:

- a) **The Project** - ““The offer of the Pomeranian startup ecosystem for foreign, innovative business ideas” project which shall be completed with the support from the Polish Agency for Enterprise Development under Smart Growth Operational Programme 2014-2020, priority axis II: Support for the environment and capacity of enterprise for R&D&I activity. Action 2.4 Cooperation under a national innovation system. Subaction 2.4.1 Centre for analyses and pilot schemes of new instruments inno_LAB.
- b) **The Organizer:** Gdańska Fundacja Przedsiębiorczości (GFP) having its registered office in Gdańsk, ul. Lęborska 3b; 80-386 Gdańsk, registered in the Business Registry of the National Court Register kept by the District Court for Gdańsk-Północ in Gdańsk, 7th Commercial Division of the National Court Register under number 0000234045, Tax ID: 583-290-74-40; REGON: 220049622.
- c) **Intake Participants** - a target group composed of natural persons who already have experience in starting and running startups, who make reaching the goals of the Project more likely, have technological potential from the widely understood ICT sector and a global business potential which shall be understood as the possibilities of commercialization of solutions generated during the Project, both on the domestic as well as foreign market, composed of up to 4 people who shall jointly file the Application Form with the IT tool available on the Organizer’s website www.techseed.me which makes it possible to apply for participation in the Project. The perfect Intake Participant profile comprises a team of 2-3 people, at least one of whom was a co-founder of a

startup which marketed a product, at least one of whom has over 2-year experience in the sector to which the Project is addressed, at least one of whom has 2-year experience in marketing and sales. The number of group members without Polish citizenship needs to be such so that at least a half of stock or shares in the established company (the Final Beneficiary) was owned by non-Polish nationals and at least one board member was not a Polish national.

- d) **Final Beneficiary** - a business which is a micro or a small company within the meaning of Attachment I to Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty and meets the conditions specified in § 21 of the Regulation of the Minister of Infrastructure and Development of 10 July 2015 on the Polish Agency for Enterprise Development granting financial support under Smart Growth Operational Programme 2014-2020 (Journal of Laws of 2018, item 871) - hereinafter: SGOP operating in the form of a company where at least a half of stock or shares is owned by non-Polish nationals and at least one board member is not a Polish national, qualified for participation in the Project.
- e) **Scouting** – activities on foreign markets connected with finding and selecting Startup Teams whose technological solutions respond to defined needs of a financial or industry partner.
- f) **Softlanding** - temporary aid in moving startup teams to Poland with respect to visa issuance and temporary accommodation for startup team members, establishment and registration of the company, etc.
- g) **Acceleration** - a 4-month program dedicated to the Final Beneficiaries based on intense work with Final Beneficiaries of the program, in particular including advisory, mentor and technological support as well as financial aid to accelerate the product (and service) development process or technologies and their commercialization. The acceleration program will cover only the Startup Teams whose business idea will be interesting to an investor or an industry partner seated in Poland, confirmed with at least a letter of intent from the investor or industry partner.
- h) **Post-acceleratory actions** - actions done after the end of the Project, to use the potential of supported startups and root them in the Polish ecosystem by starting cooperation with capital funds interested in investing their own monies, i.e. activities carried out by the Organizer to boost chances for absorption of acquired human capital, also when acceleration of a given startup does not bring a desired result.
- i) **Startup Team** - a team of up to 4 tasked with establishing a company in Poland (final beneficiary) after the scouting and soft landing stage. The Project strives at supporting teams which already have experience in running a business (so-called second time founders).
- j) **Demo day starter** – an event during which Startup Teams will present business ideas to investors and business partners seated in Poland.
- k) **Demo day final** – an event held at the end of the acceleration program during which the Startup Teams will present MVPs.
- l) **MVP** – minimum viable product, a product created during the acceleration, having the minimum readiness to be marketed.

- m) **Recruitment Committee (RC)** - a team of 2 to 4 people, including the Chair, appointed by the Organizer, engaged in the completion of the Project, tasked with selecting the Startup Teams qualified to get support in the Project.
- n) **Videoconference** - interactive multimedia communication during which an Intake Participant will present their idea which shall be evaluated by the Recruitment Committee or a Startup Team will present a business idea to investors, business partners seated in Poland.
- o) **Regulations governing participation of foreign startup teams in project** “The offer of the Pomeranian startup ecosystem for foreign, innovative business ideas” or Regulations - these Regulations.

§ 1 Preliminary provisions

1. The acceleration program shall comprise the stages of scouting, intake, selection of final beneficiaries, soft landing, acceleration and post-acceleration actions.
2. It is the purpose of the intake to select 18 Startup Teams from foreign markets. The Organizer has specified Nordic countries (Finland, Norway, Sweden), Germany, the United Kingdom, Canada and the US as priority markets for the scouting stage. However, participation of Startup Teams from other markets is not ruled out, provided that they meet the conditions specified herein. However, Startup Teams from outside the priority markets shall not account for more than 30 percent.
3. Intake Participants shall consent to public disclosure of information about the name of the idea and participation in the Project for the purposes of its promotion and marketing on the Project’s website directly in the Application Form.
4. Startup Teams will take part in the Project in three rounds of 6 Startup Teams. Intake Participants shall submit their applications via the Application Form available at www.techseed.me continuously from the effective date of the Regulations to 30 June 2019.
5. The Organizer shall keep a list of Intake Participants who submitted the Application Form. The Recruitment Committee will select Startup Teams according to the Regulations, on the basis of the Application Form and the Videoconference.
6. The basic and reserve list of qualified Startup Teams will be posted on www.techseed.me. Moreover, the qualified Startup Teams will be notified by email to the contact address specified in the Application Form.
7. A program with the following schedule has been envisaged for each of the 6 Startup Teams:
 - a) **First acceleration program:**
 - Softlanding: November – December 2018
 - Demo-day starter: November 2018
 - Acceleration: January – April 2019
 - Demo-day final: April 2019
 - b) **Second acceleration program:**
 - Softlanding: March - April 2019
 - Demo-day starter: March 2019

Acceleration: May - August 2019

Demo-day: August 2019

c) Third acceleration program:

Softlanding: July - August 2019

Demo-day starter: July 2019

Acceleration: September - December 2019

Demo-day: December 2019

8. The Organizer shall keep the information presented by Intake Participants and then selected Startup Teams confidential and shall not use it without their knowledge and written consent under pain of nullity.
9. Communications with Intake Participants and then Startup Teams will be carried out by email specified in the Application Form.

§ 2 Intake Conditions

1. Intake Participants who want to take part in the Intake need to meet the following formal requirements evaluated in the meets/does not meet formula:
 - a) they meet the conditions specified for Intake Participants as defined in these Regulations (Glossary letter c).
 - b) they submitted the Application Form according to the specimen available at www.techseed.me in the Intake period,
 - c) they took part in the Videoconference,
 - d) they are not subject to exclusion from the Project ¹,
 - e) they have no capital or personal ties to the Organizer ²
2. Intake Participants need to meet substantive conditions evaluated according to § 4 item 2 of the Regulations which encompass the following:
 - a) submission of a technological solution covered by the sector of Information Technologies according to statistical classification of economic activities in the

¹ Exclusion from the Project applies to persons who already carried out business activity in the Republic of Poland, were shareholders in partnerships or companies registered or seated in the Republic of Poland, served as Board Members in commercial companies registered or seated in the Republic of Poland.

² Capital and personal ties shall be understood as mutual ties between the Organizer and the Participant, involving:

- 1) being a shareholder in a company as member of a company or a partnership,
- 2) holding shares or at least 5 percent of stock,
- 3) serving as a member of a supervisory or a management body, holder of a commercial power of attorney or an attorney-in-fact,
- 4) remaining in a legal or actual relation which might give rise to justifiable doubts as to impartiality in the choice of the contractor, in particular being married, directly related by blood or marriage, laterally related by blood or marriage up to the second degree or remaining in the relation of adoption, care or guardianship.

European Community, Rev. 2 (NACE Rev. 2). At the same time, it should respond to the needs of sectors interested in implementations of modern solutions, i.e. (e.g.) the financial and insurance industry, medicine and health, education, logistics, telecommunications.

- b) submission of a solution with a global business potential which shall be understood as the possibilities of commercialization of solutions generated during the Project, both on the domestic as well as foreign market.
3. If the submitted Application Form is incomplete or the content is unclear, the Organizer can ask the Intake Participant to supplement it or provide additional clarifications.
4. The Organizer has not specified the maximum number of submissions for separate Intake Participants, with the reservation that support from the Project can only be used once.

§3 Recruitment Committee

1. RC Members shall perform their duties reliably, impartially and objectively. RC Members shall file a written statement on having no capital or personal ties to Intake Participants and a written obligation to keep information confidential and not use the submitted ideas without the knowledge and consent of Intake Participants.
2. In particular, obligations of RC Members shall include:
 - a) active participation in the RC's works;
 - b) following the Chair's instructions as to the RC's works, in particular preparation of documents (or parts thereof) connected with the recruitment process,
 - c) keeping the RC's works confidential. RC Members must not disclose any information connected with the RC's works.
3. RC's decisions shall be made in the presence of at least 2 RC members.
4. RC members can include: Project Manager, Project Coordinator, Experts appointed by Project Manager or Project Coordinator.
5. A representative of the Polish Agency for Enterprise Development can participate in the RC's works as a monitor.

§ 4 Criteria and procedure for selecting Startup Teams

1. The business idea shall be substantively evaluated only if Intake Participants meet the formal conditions.
2. The RC shall substantively evaluate the following:
 - a) Business potential (microsegment of the target market, size of the market, idea scaling difficulty),
 - b) Team (knowledge of the sector the idea is part of, previous experience),
 - c) Innovation level of the solution,
 - d) Reliability, confirmation of the proposed solution (tests, user registration, prototype, first sales)
3. The substantive evaluation will be held after an individual Videoconference with Intake Participants.

4. Each substantive area referred to in item 2 shall be evaluated on the scale of 0 to 10 points. When making the evaluation, every RC member shall have 40 points in total, i.e. 10 points to evaluate every area of the substantive evaluation of the idea. The ideas shall be evaluated with the following evaluation weights: point a) - weight 20 percent, point b) weight 50 percent, point c) weight 15 percent, point d) weight 15 percent.
5. If two or more Intake Participants are awarded the same number of points in the evaluation, the RC can hold an additional Videoconference.
6. Up to 18 Startup Teams awarded the biggest number of points in the evaluation shall qualify to participate in the Project.
7. No appeals can be filed against the RC's decision.

§ 5 Demo-day starter, softlanding

1. The Organizer will invite the qualified Startup Teams to present their business idea during Demo-day starter to investors or industry partners seated in the Republic of Poland. The Demo day starter will be held in the form of a Videoconference.
2. After the Demo-day starter, according to the schedule included in the Regulations, the Organizer shall conclude an agreement with the Startup Team under which the Startup Team shall establish, after softlanding, a company on the territory of the Republic of Poland in which a half of shares or stock will be held by non-Polish nationals and at least one board member will be a non-Polish national.
3. The acceleration program will cover only the Startup Team which can prove that its business idea is interesting to an investor or an industry partner seated in Poland, confirmed with at least a letter of intent from the investor or industry partner.
4. As part of the softlanding the Organizer shall provide: an individual consultant (concierge), accommodation, temporary legal and bookkeeping support, access to coworking space, support in getting to know the local market, business ecosystem, social and cultural support, aid in accessing university resources (laboratories, specialist equipment).

§ 6 Assistance granted to Final Beneficiaries

1. The assistance granted to Final Beneficiaries under the Project shall be understood as assistance provided to businesses which start their operations and shall be granted according to the Regulation of the Minister of Infrastructure and Development on the Polish Agency for Enterprise Development granting financial support under Smart Growth Operational Programme 2014-2020 (Journal of Laws of 2018, item 871) - SGOP Regulation. The assistance is granted on the basis of an acceleration Agreement concluded by the Final Beneficiary and the Organizer. The assistance is granted to the Final Beneficiary in the form of financial support, support in the area of technology and development of business competences.
2. General terms and conditions of the acceleration Agreement are available in the Project documentation at www.techseed.me
3. The Final Beneficiary needs to meet the following conditions:
 - a) have the status of a micro or a small business within the meaning of Attachment no. 1 to Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring

- certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty,
- b) be a micro business or a small business which begins business activity within the meaning of § 21 of SGOP Regulation,
 - c) make a statement on there being no capital or personal ties between the Final Beneficiary and the Organizer,
 - d) not be subject to exclusion from applying for support from European Union funds³.

§ 7 Post-acceleration

As part of Post-Acceleration Activities, the Organizer shall provide the Final Beneficiary with support from investment funds interested in the Final Beneficiary's business idea and access to information about startup support instruments, including those available as part of EU-funded Programs.

§ 8 Protection of personal data

1. Personal data of Intake Participants, Startup Teams and Final Beneficiaries are processed according to Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ of the EU L 2016 No. 119) (hereinafter: the General Data Protection Regulation) and the Act of 10 May 2018 on the protection of personal data (Journal of Laws of 2018, item 1000 as amended).
2. The Organizer, i.e. Gdańska Fundacja Przedsiębiorczości having its registered office in Gdańsk, ul. Lęborska 3b, 80-386 Gdańsk, KRS: 0000234045, Tax ID: 5832907440, REGON 220049622; tel. 58 731 65 00, e-mail: gfp@gfp.com.pl is the controller of the personal data referred to in item 1 above.
3. The Controller has appointed a Personal Data Protection Supervisor who can be contacted by e-mail: iod@inkubatorstarter.pl or phone at 58 731 65 81.
4. The personal data referred to herein shall be processed on the basis of:

³A final beneficiary is excluded from applying for funds for completion of programs co-funded by the EU if during debt collection procedure concerning return of monies allocated to completion of programs co-funded by the EU, as a result of it being ascertained that those funds were:

- used against their purpose;
 - used with violation of procedures specified in an international agreement or other procedures applicable to their use;
 - collected unduly or in an excessive amount
- or during the preceding stage, i.e. during audit and verification activities, it was ascertained that:
- the beneficiary received the payment on the basis of forged, modified or false documents;
 - the beneficiary did not return the funds in the specified period;
 - the circumstances which resulted in the debt recovery procedure occurred as a result of a crime acknowledged in a final and binding court judgment which had been committed by the beneficiary, partner, entity authorized to make the expenditure.

- a) Article 6 item 1a) of the General Data Protection Regulation, i.e. on the basis of voluntary, unambiguous and specific consent given by the data subject by ticking the statement of consent to the processing of personal data when filling in the application form for the Project in order to take part in the intake,
 - b) article 6 item 1b) of the General Data Protection Regulation, i.e. processing is necessary for the performance of a contract to which the data subject is party to conclude and execute the acceleration Agreement,
 - c) article 6 item 1c) of the General Data Protection Regulation, i.e. processing is necessary for compliance with a legal obligation to which the controller is subject for reporting purposes,
 - d) article 6 item 1 f) of the General Data Protection Regulation, i.e. processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party for detection and prevention of abuses and for the purposes of determining, defending and seeking claims.
5. The following shall be recipients of the personal data referred to herein:
- a) entities providing legal and IT services to the Controller, hosting providers, mail operators, invoice services, entities which provide audit, tax and accounting services for the Controller;
 - b) Polish Agency for Enterprise Development, ul. Pańska 81/83, 00-834 Warsaw.
6. The personal data will not be provided to third party states.
7. The personal data will be processed for a period necessary for completion of the Project, however no later than until 31 January 2030.
8. The data subject has the right to access their personal data, demand their rectification, erasure or restriction of processing, object against the processing of personal data and the right to data portability.
9. The data subject has the right to revoke their consent to personal data processing, however the above shall not affect the legitimacy of the personal data processing by the Controller before the consent was revoked.
10. The data subject has the right to complain with the supervisory body, i.e. head of the Office for Personal Data Protection.
11. Consent to personal data processing is voluntary, however necessary to take part in the intake for the Project and its proper completion.
12. The Controller shall not process the data in an automated manner.

§ 9 Final provisions

1. The Regulations shall apply from the date of their publication.
2. The Regulations shall be available at the Project's website www.techseed.me as well as in the Organizer's registered office.
3. Acceptance of the Regulations and compliance with them is a condition for taking part in the Project.

4. The Organizer shall have the right to amend these Regulations. The Organizer shall each time notify changes to the Regulations by posting their updated version at the Project's website (www.techseed.me) and making them available at its registered office.
5. The provisions of the Civil Code and regulations on receiving aid under the Project⁴ shall apply to matters not regulated herein.
6. Any and all disputes shall be each time settled by the Common Court with jurisdiction over the registered office of the Organizer according to the Polish substantive and procedural law.

Attachment - Evaluation form in project “The offer of the Pomeranian startup ecosystem for foreign, innovative business ideas”

- THE ORGANIZER -

⁴ 1) the Act of 11 July 2014 on principles of completing programs in cohesion policy funded in financial perspective 2014-2020 (Journal of Laws of 2017, item 1460, as amended) hereinafter referred to as the “implementation act”,

2) Smart Growth Operational Programme 2014-2020, accepted by the European Commission on 12 February 2015;

3) Detailed description of priority axes in Smart Growth Operational Programme 2014-2020;

4) Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (O.J. of the EU L 187 of 26.06.2014, page 1, as amended),

5) Regulation of the Minister of Infrastructure and Development of 10 July 2015 on the Polish Agency for Enterprise Development granting financial support under Smart Growth Operational Programme 2014-2020 (Journal of Laws of 2015, item 871).