

# Reminder Procedure

## Orange Knowledge Programme - Individual Scholarships

Version 3.0 February 2023

Dutch institutions are granted subsidies to finance scholarships under the Orange Knowledge Programme - Individual Scholarships. To these grant awards certain conditions apply as described in the document Grant Obligations & Conditions. Failing to meet these conditions can have serious consequences for the amount of the awarded subsidy.

Reporting is one of the obligations. Dutch institutions must submit the complete intermediate and final reports before the applicable reporting deadlines in Atlas or Delta as stated in the applicable Grant Obligations & Conditions. As of November 2017 Nuffic applies the following reminder procedure if a Dutch institution fails to meet the reporting obligations.

### Step 1: Formal Reminder

If a Dutch institution fails to submit a complete report before the applicable reporting deadline Nuffic will send a formal reminder by email to the Orange Knowledge Programme contact person of the Dutch institution. This reminder states that the Dutch institution must submit the complete report within two weeks after receiving the email and announces the further steps of the reminder procedure.

### Step 2: First Notice

If Nuffic does not receive the complete report before the date stated in the formal reminder, Nuffic will email a first notice to the Orange Knowledge Programme contact person. The Dutch institution should submit the complete report within two weeks after the letter date stated on the first notice.

### Step 3: Final Notice

If the Dutch institution again fails to meet the date mentioned in the first notice Nuffic will email a final notice to the Executive Board (*College van Bestuur*). The Dutch institution has the opportunity to submit the complete report within two weeks after the letter date stated on the final notice. The Orange Knowledge Programme contact person will receive a copy of this letter by email.

### Step 4: Settlement of the grant / subsidy decision

Article 4:46 of the General Administrative Law Act states:

1. If an administrative decision to grant a subsidy has been made, the administrative authority shall fix the subsidy in accordance with the administrative decision granting the subsidy.

2. The subsidy may be fixed at a lower amount if:
  - a. the activities for which subsidy has been granted have not taken place or have not taken place in their entirety;
  - b. the subsidy recipient has not complied with the obligations attached to the subsidy;
  - c. the subsidy recipient has provided incorrect or incomplete information and the provision of correct and complete information would have led to a different administrative decision on the application for the granting of subsidy, or
  - d. the granting of the subsidy was otherwise incorrect and the subsidy recipient knew or should have known this.
3. In so far as the amount of the subsidy is dependent on the actual costs of the activities for which subsidy has been granted, costs which cannot reasonably be regarded as necessary shall not be taken into account in fixing the subsidy.

If the Dutch institution fails to submit the report before the date in the final notice than following article 4:46 of the General Administrative Law Act (*Algemene wet bestuursrecht*) Nuffic will decide to settle the grant at a lower amount or at zero.

Nuffic will email this decision to the Executive Board with a copy to the Orange Knowledge Programme contact person. The Dutch institution must reimburse all excess payments within 6 weeks on the basis on an invoice that Nuffic will send.

## **Retention of Orange Knowledge Programme administration**

Article 4:69 of the General Administrative Law Act (*Algemene wet bestuursrecht*) indicates that subsidy administration should be retained during 7 years after the subsidy has been settled and the file has been closed. It is the responsibility of the Dutch institutions to fulfill the obligations following from the General Administrative Law Act.