

Order no. DJZ/BR/1307-2005 of 21 December 2005 containing further rules governing the award of grants by the Minister of Foreign Affairs and the Minister for Development Cooperation (Ministry of Foreign Affairs Grant Regulations 2006)

The Minister of Foreign Affairs and the Minister for Development Cooperation,

Having regard to articles 2 and 3 of the Ministry of Foreign Affairs Grants Decree,

Order as follows:

Part 1. General

Division 1. Definitions

Article 1.1

The following definitions are used in these Regulations:

- a. developing countries: countries listed in the most recent List of Recipients of Official Development Assistance drawn up by the Development Assistance Committee (DAC) of the Organisation for Economic Cooperation and Development (OECD);
- b. Framework Act: Foreign Affairs (Grants) Framework Act;
- c. Grants Decree: Ministry of Foreign Affairs Grants Decree.

Part 2. Human rights, good governance, international legal order and international cooperation

Division 1. Human rights

Article 2.1

The Minister may award grants for activities which promote or help to promote the observance of human rights.

Division 2. Social transformation

Article 2.2

In the interests of promoting the social and political aspects of transformation to a more democratic and market-oriented system, the Minister may award grants for activities which promote or help to promote:

- a. the establishment and strengthening of plural democratic societies governed by the rule of law;
- b. the development of civil society;
- c. accession to the European Union or
- d. the strengthening of central government.

Article 2.3

In view of and within the framework of the objectives referred to in article 2.2, activities will be eligible for a grant if they focus on or promote:

- a. an articulate population capable of self-organisation, diversity of civil society, opportunities for individuals to become involved in shaping society, and private initiative;
- b. the operation of the rule of law, the quality of legislation, law enforcement and the administration of justice, and the legal protection of the citizen;
- c. democracy in government, improvements in the operation of public authorities, transparency of government activity and public access to government;
- d. the equipping of central and local authorities for their role in their country's accession to the European Union and the changes required to that end;
- e. the structure, capacity, quality and administrative strength of central authorities, or
- f. knowledge transfer, financial assistance to students, and the development and provision of courses and placements.

Division 3. Peace and security, international legal order, multilateral cooperation, bilateral relations and other activities

Article 2.4

The Minister may award grants for activities which promote or help to promote the development and implementation of the Minister's policy in the fields of peace and security, the environment, the international legal order, international legal and judicial cooperation, multilateral cooperation or the improvement of bilateral relations.

Division 4. Migration

Article 2.5

The Minister may award grants for activities which promote or help to promote the development and implementation of the Minister's policy in the field of migration.

Part 3. Emergency aid and conflict management

Article 3.1

The Minister may award grants for activities which serve or help:

- a. to relieve, limit or prevent human distress arising from conflicts, natural disasters or other emergencies, or
- b. to support developments designed to achieve the peaceful resolution of conflicts and the reconciliation of conflicting interests and to assist initial steps towards recovery and reconstruction.

Article 3.2

In view of and within the framework of the objectives referred to in article 3.1 (a), activities will be eligible for a grant if they focus on or promote:

- a. in acute emergencies, direct aid to allow the victims access to the basic necessities of life;
- b. in chronic emergencies, direct aid to allow the victims access to basic social services;
- c. the strengthening of institutional capacity, at international level, in the Netherlands and in afflicted or vulnerable areas, aimed at the alleviation of acute human distress;
- d. the efficiency and effectiveness of aid;
- e. the limiting of humanitarian need and material damage caused by disasters;
- f. the systematic collection and analysis of information with a view to monitoring the progress of and evaluating aid provision in emergencies, or
- g. professional development for those responsible for aid in emergencies.

Article 3.3

In view of and within the framework of the objectives referred to in article 3.1 (b), activities will be eligible for a grant if they focus on or promote:

- a. the return and resettlement of population groups displaced by crises;
- b. opportunities for victims to provide for themselves;
- c. initial steps towards recovery and reconstruction of the physical infrastructure, the economy and society;
- d. the development, maintenance and strengthening of the institutional capacity of organisations concerned with the prevention, management and resolution of conflicts;
- e. professional development for those working in the field of conflict prevention; management and resolution, or
- f. the systematic collection and analysis of information with a view to monitoring the progress of and evaluating activities in the field of conflict prevention, management and resolution.

Article 3.4

Grants may be awarded on the basis of this part solely to legal persons meeting the following criteria:

- a. their objectives and work cover a wide range of activities, and
- b. in respect of emergency aid, they are affiliated to and abide by the Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organisations in Disaster Relief or an equivalent code of conduct.

Article 3.5

A grant may be awarded for activities which are already under way if:

- a. the activities are so urgent that the applicant could not reasonably have been expected to submit the application before they began;
- b. the applicant notified the Minister when the activities began, and communicated his intention to submit a grant application, and
- c. the grant application is submitted within four weeks of the start of the activities.

Article 3.6

1. Underspending and overspending on budget items for activities for which a grant has been awarded pursuant to this part will not require the Minister's prior approval if:
 - a. the underspending and overspending are due to altered or unforeseen circumstances in an acute emergency;

- b. the underspending and overspending do not amount to more than 25% of the items in question, and
 - c. the total budget is not exceeded.
- 2. Paragraph 1 will not apply to allowances for expatriates or to the procurement of vehicles and communications equipment.

Part 4. Cofinancing system

Division 1. Theme-based cofinancing

Article 4.1

- 1. The Minister may award grants for activities that reduce or help to reduce poverty in developing countries on a structural basis by means of the following intervention strategies: direct poverty reduction, civil society building or the exertion of influence on policy.
- 2. The activities will support non-governmental organisations in developing countries whose objectives or activities focus on one or more of the themes mentioned in paragraph 3 or on a specific target group or region, or otherwise make a meaningful contribution to the achievement of the objective mentioned in paragraph 1.
- 3. The themes referred to in paragraph 2 are:
 - a. sustainable economic development;
 - b. HIV/AIDS and reproductive health;
 - c. sociocultural development;
 - d. political development;
 - e. peace and security;
 - f. environment and water and
 - g. gender equality.

Part 2. Broad-based cofinancing

Article 4.2

1. The Minister may also award grants for activities that reduce or help to reduce poverty in developing countries on a structural basis by means of the following coherent intervention strategies: direct poverty reduction, civil society building and the exertion of influence on policy.
2. The activities will support a broad range of thematic organisations and organisations serving specific target groups, in several continents, within various countries in each continent and in various sectors. The activities will conform, in respect of at least one of the themes referred to in article 4.1, paragraph 3, to the policy rules that apply to them, as referred to in article 4.12, paragraph 2 .

Division 3. Excluded activities

Article 4.3

Grants will not be awarded for activities:

- a. which target direct services, welfare or investments;
- b. whose aim or partial aim is to proselytise;
- c. aimed at study or research, or
- d. whose scope is limited to a single country.

Division 4. Organisations and assessment criteria

Article 4.4

1. Grants under this part may be awarded solely to non-profit-making non-governmental organisations whose aims, activities and expenditure are entirely or substantially devoted to structural poverty reduction within the meaning of article 4.1 or 4.2, and which:
 - a. are established in the Netherlands;
 - b. have legal personality under Dutch law, and
 - c. have a demonstrable support base in the Netherlands.
2. Grant applications will be assessed on the basis of the criteria to which the information mentioned in articles 4.15 and 4.16 relates.

Division 5. Themes

Article 4.5

In view of and within the framework of the objective referred to in article 4.1, the theme of sustainable economic development includes activities which promote or help to promote:

- a. a better global trading position for developing countries;
- b. capacity building focused on policy development and implementation in the field of sustainable economic growth, or
- c. socially responsible business practice and business development in developing countries.

Article 4.6

In view of and within the framework of the objective referred to in article 4.1, the theme of HIV/AIDS and reproductive health includes activities which promote or help to promote:

- a. sexual and reproductive health care, specifically focused on young people;
- b. activities to prevent the further spread of HIV and AIDS and limit their adverse impact on individuals and society, or
- c. primary healthcare services in relation to reproductive health and HIV and AIDS.

Article 4.7

In view of and within the framework of the objective referred to in article 4.1, the theme of sociocultural development includes activities which promote or help to promote:

- a. the availability of and access to basic education;
- b. cultural identity or the preservation of cultural heritage, or
- c. communication processes, with a view to increasing citizens' participation in society.

Article 4.8

In view of and within the framework of the objective referred to in article 4.1, the theme of political development includes activities which promote or help to promote:

- a. respect for human rights or
- b. open and accountable governance, the establishment or strengthening of the rule of law, and democratisation.

Article 4.9

1. In view of and within the framework of the objective referred to in article 4.1, the theme of peace and security includes activities which promote or help to promote:
 - a. peacebuilding or
 - b. post-conflict rehabilitation or reconstruction.
2. Article 4.3 (d) does not apply to activities referred to under paragraph 1 (b).

Article 4.10

In view of and within the framework of the objective referred to in article 4.1, the theme of environment and water includes activities relating to the ecological aspect of sustainable development, inter alia by integrating the environment in the policy of developing countries and building the capacity needed for this.

Article 4.11

In view of and within the framework of the objective referred to in article 4.1, the theme of gender equality includes activities which:

- a. promote or help to promote the integrated, systematic and sustainable mainstreaming and reflection of gender concerns in policy and implementation in respect of the themes mentioned in article 4.1, paragraph 3 (a) to (f), or
- b. improve or help to improve the position of women in developing countries.

Division 6. Procedural provisions; applications

Article 4.12

1. Grants will be awarded, subject to article 7, paragraph 3 of the Grants Decree, once every four years for up to four years.
2. Notwithstanding article 6, paragraph 1 of the Grants Decree, the Minister will announce his policy rules no later than twelve months prior to the start of the grant period.
3. Applications may be submitted no later than 22 April of the year preceding the grant period.
4. The Minister will refer the applications to an advisory committee.
5. The Minister will appoint the members of the advisory committee and select one of them to be the chair.

6. The Minister will ensure that the composition of the committee is such that its assessments are independent and expert.
7. The Minister will provide the committee with a secretariat.
8. The committee will advise the Minister about the applications no later than 15 August of the year preceding the grant period.
9. The Minister will reach a decision no later than 30 September of the year preceding the grant period.

Article 4.13

1. Grants may only be awarded for a portion of the recipient's annual expenditure. As of 1 January 2009, at least 25% of the recipient's income will be from sources other than the grant awarded by the Minister and contributions provided by organisations subsidised from the budget of the Ministry of Foreign Affairs. Grant applications for less than €100,000 will not be considered.
2. No grant will be awarded if it would lead to overlap with another grant awarded to the same recipient on the basis of this part or chapter II, part 3 (Theme-based cofinancing) of the Ministry of Foreign Affairs Grant Regulations. No grant will be awarded as core funding for an organisation.

Article 4.14

Without prejudice to the other provisions of these Regulations, applicant organisations will explain how they comply with the requirements arising from article 4.1 or 4.2. To this end, the application will include a description of the organisation and its activities.

Article 4.15

The description of the organisation will encompass:

- a. its support base in the Netherlands;
- b. the organisation's history, its mission and the relationship between its mission and poverty reduction;
- c. the organisation's intervention strategies;
- d. the nature and quality of relationships with partner organisations;
- e. the nature and quality of relationships with third parties;
- f. the effects and sustainability of the results of the organisation's work;

- g. how the organisation's structure and culture contribute to efficient, effective service to partner organisations and third parties;
- h. how the organisation's staff and innovation policy contribute to efficient, effective use of resources;
- i. how the organisation monitors progress and the quality of its policy and programmes;
- j. the organisation's financial management.

Article 4.16

The description of the proposed activities will encompass:

- a. how they contribute to structural poverty reduction within the meaning of article 4.1 or 4.2;
- b. how the application relates to the policy rules referred to in article 4.12, paragraph 2;
- c. a strategic analysis of the context, actors involved, the organisation's implementation capacity and its strategic operational objectives;
- d. the organisation's strategic policy with regard to the organisations it supports;
- e. the innovative content of the activities;
- f. how the activities contribute to embedding development cooperation in society and creating public support for it;
- g. the relationship between aims, resources and results;
- h. the extent to which the intended results are formulated in a way that is specific, measurable, achievable, realistic and time-related;
- i. the effectiveness and efficiency of the use of resources;
- j. the way in which quality management, monitoring and evaluation are incorporated, and
- k. how and to what extent the proposed activities will have a sustainable impact.

Division 7. Special provisions

Article 4.17

- 1. With the exception of articles 4.1 and 4.5 to 4.11, this part does not apply to the award of grants by a Dutch mission on behalf of the Minister.
- 2. With the exception of articles 4.1, 4.5 to 4.11 and 4.13, paragraph 4, this part does not apply to the award of grants to organisations, whose objectives or activities focus on one of the themes mentioned in article 4.1, paragraph 3, over which the Minister can exercise control in respect of one or more of the subjects referred to in article 4.15

pursuant to constitutional or organisational provisions.

3. In the policy rules referred to in article 4.12, paragraph 2 or when announcing a grant ceiling, the Minister may stipulate that article 4.3 (d) will not apply in certain specified cases.

Part 5. Special financing programmes

Division 1. Cooperation with developing countries in the field of personnel

Article 5.1

The Minister may award grants for activities which promote or help to promote socioeconomic development and poverty reduction in developing countries by means of cooperation in the field of personnel.

Article 5.2

In view of and within the framework of the objectives referred to in article 5.1, activities will be eligible for a grant if they focus on or promote cooperation in the field of personnel between Dutch organisations active in development cooperation and organisations in developing countries, on the basis of a cohesive set of activities with a balanced, efficient spread over target groups, sectors, priority areas and other policy emphases.

Division 2. Trade union movement

Article 5.3

The Minister may award grants for activities which promote or help to promote socioeconomic development and poverty reduction in developing countries by strengthening the trade union movement in developing countries and promoting labour rights.

Article 5.4

In view of and within the framework of the objectives referred to in article 5.3, activities will be eligible for a grant if they focus on or help to maintain or strengthen the position of the trade union movement in developing countries and promote labour rights, on the basis of a

cohesive set of activities in several continents, with a balanced, efficient spread over target groups, sectors, priority areas and other policy emphases.

Article 5.5

Grants may be awarded to Dutch trade union federations which aim to support development processes in developing countries, possess a network of contacts in developing countries tailored to the thematic, sectoral and regional spread of the subsidised activities, and are embedded in Dutch society.

Division 3. Employer cooperation

Article 5.6

The Minister may award grants for activities which promote or help to promote sustainable socioeconomic development aimed at poverty reduction in developing countries by strengthening business organisations in developing countries.

Article 5.7

In view of and within the framework of the objectives referred to in article 5.6, activities will be eligible for grants if they promote or help to promote the capacity building of business organisations in developing countries, inter alia by transferring knowledge and experience, cooperating with national and international organisations and supporting activities focused on influencing policy and acquiring and providing services to members.

Article 5.8

Dutch business organisations affiliated to the Council for Central Business Organisations (RCD) will be eligible for grants, as will non-profit-making legal persons established and managed by such organisations, which focus on supporting development processes in developing countries.

Division 4. Technical assistance

Article 5.9

The Minister may award grants for activities which promote or help to promote socioeconomic development and poverty reduction in developing countries by means of lasting improvement in the position of groups of people in developing countries.

Article 5.10

In view of and within the framework of the objectives referred to in article 5.9, activities will be eligible for a grant if they focus on or promote development processes in developing countries through the provision by Dutch organisations of expertise and financial resources to organisations in developing countries for the implementation of development projects.

Article 5.11

Non-profit-making legal persons, established in the Netherlands, will be eligible for grants if their main aim, as stated in their constitution and reflected in their actual work, is to structurally reduce poverty in developing countries by making expertise available, and if they possess a network of contacts and a support structure which guarantee the efficient, effective deployment of the said expertise.

Division 5. Cooperation with local authorities, small-scale local activities and private initiatives

Article 5.12

The Minister may award grants for activities which promote or help to promote:

- a. the strengthening of local government in developing countries through cooperation with Dutch municipalities;
- b. small-scale local or regional activities in the Netherlands designed to increase knowledge and understanding of and opinion-forming on development cooperation or boost public support for development cooperation policy or
- c. small-scale Dutch private initiatives in the field of development cooperation.

Division 6. Political and interparliamentary cooperation

Article 5.13

The Minister may award grants for activities which promote or help to promote a well-functioning, sustainable, multi-party parliamentary democracy in developing countries, by supporting political parties or members of parliament in developing countries.

Article 5.14

1. In view of and within the framework of the objective referred to in article 5.13, activities will be eligible for grants if they promote cross-party cooperation between political parties or members of parliament in the Netherlands and in developing countries.
2. Article 4.3 applies.

Article 5.15

Grants under this division may be awarded solely to non-profit-making organisations dedicated to the objective referred to in article 5.13, which:

- a. are established in the Netherlands;
- b. have legal personality under Dutch law, and
- c. have a management board whose composition reflects broad cooperation between the parties represented in parliament or individual members of parliament.

Article 5.16

1. Grants will be awarded for a period not exceeding four years.
2. No grant will be awarded if it would lead to overlap with another grant awarded to the same recipient on the basis of this division.
3. Grant applications for less than €100,000 will not be considered. The grant application must show that a contribution in money or expertise is forthcoming from the political parties or members of parliament represented in the organisation.
4. No grant will be awarded as core funding for an organisation.

Part 6. Education and research

Division 1. International education and research

Article 6.1

The Minister may award grants for activities which promote or help to promote international education and research contributing to the development and implementation of the Minister's development cooperation policy.

Division 2. Research

Article 6.2

The Minister may award grants for activities which promote or help to promote research and knowledge development and whose results can be effectively used to achieve Dutch foreign policy objectives in the field of poverty reduction and sustainable development.

Article 6.3

In view of and within the framework of the objectives referred to in article 6.2, activities will be eligible for a grant if they:

- a. tie in with Dutch foreign policy objectives in the field of poverty reduction and sustainable development;
- b. are socially relevant and contribute to social innovation and capacity building in developing countries;
- c. help to strengthen interaction between various social stakeholders;
- d. supply sought-after information to parties with an interest in or responsibility for poverty reduction;
- e. are application-oriented and are set up in consultation with the intended users of the research findings;
- f. deliver guaranteed quality in terms of validity, reliability and innovation.

Division 3. Higher education

Article 6.4

The Minister may award grants for activities in developing countries which promote or help to promote:

- a. improvements in the quality of higher education;

- b. institutional strengthening of higher education establishments, or
- c. improvements in the capacity and quality of human resources.

Article 6.5

In view of and within the framework of the objectives referred to in article 6.4, activities will be eligible for a grant if they focus on or promote:

- a. cooperation between Dutch educational institutions or educational institutions in developing countries;
- b. financial support for students in or from developing countries, or
- c. knowledge transfer, for example the development and provision of courses and placements.

Division 4. Application-oriented research on drinking water and sanitation

Article 6.6

The Minister may award grants for activities which promote or help to promote greater access to sustainable drinking water and sanitation systems in developing countries by:

- a. collecting and exchanging application-oriented information and knowledge about water and sanitation, and about related environmental and behaviour issues;
- b. disseminating knowledge and information and making it available, and
- c. fostering joint ventures with a view to strengthening innovation and knowledge organisations and knowledge networks in developing countries.

Part 7. Government and industry, interest charges and guarantees

Division I. Government

Article 7.1

The Minister may award grants for activities which promote or help to promote a better global trading position for developing countries by making expertise and other forms of assistance available to governments in developing countries.

Division 2. Industry

Article 7.2

The Minister may award grants for activities which promote or help to promote sustainable increases in employment and economic growth in developing countries by strengthening industry in the said countries or for economic transactions with an innovative or stimulating effect on environmental improvement in developing countries.

Article 7.3

In view of and within the framework of the objectives referred to in article 7.2, activities will be eligible for a grant if they focus on or promote:

- a. the setting up of joint ventures between businesses from developing countries established in the Netherlands and partners in developing countries, by providing advice, information and business loans;
- b. the setting up, by entrepreneurs or starting entrepreneurs from developing countries resident in the Netherlands, of companies in their countries of origin;
- c. the transfer of the knowledge, understanding and experience of Dutch former managers to small and medium-sized enterprises and organisations in developing countries at their request;
- d. cooperation between Dutch companies and companies in developing countries with emerging markets in the form of pilot projects and preparatory studies (not market research or general studies);
- e. professional development for entrepreneurs and their employees in developing countries;
- f. the extension of credit to entrepreneurs in developing countries;
- g. the investment of venture capital in developing countries;
- h. the import of Dutch capital goods, works or services into developing countries;
- i. exports from developing countries to the European Union;
- j. guarantees for holding companies with a view to promoting investment in joint ventures with companies in developing countries, or
- k. funding and technical assistance for companies and financial institutions in developing countries.

Division 3. Interest charges and guarantees

Article 7.4

The Minister may award grants for activities which promote or help to promote the making of loans to developing countries for investment in those countries at a rate of interest lower than the prevailing market rate, by means of interest subsidies and guarantees.

Part 8. International cultural relations and regional priorities

Division 1. International cultural relations

Article 8.1

The Minister may award grants for activities which promote or help to promote international cultural relations.

Article 8.2

In view of and within the framework of the objectives referred to in article 8.1, the following will be eligible for a grant:

- a. activities in the Netherlands which enhance the Netherlands' reputation as an international cultural meeting-place;
- b. activities designed to conserve or restore the Dutch cultural heritage;
- c. cultural events which are the focus of particular international interest;
- d. cooperative projects between the Netherlands and countries with which the Netherlands has special ties, through proximity or cultural or historical links, through their importance as countries of origin of migrants living in the Netherlands, or otherwise;
- e. large-scale cultural events which make a particular contribution to the Netherlands' international cultural profile;
- f. activities that help to strengthen the cultural infrastructure in terms of organisation and personnel;
- g. small-scale local cultural projects abroad, aimed at local people and with a recognisable Dutch component, and
- h. activities designed to implement cultural agreements.

Division 2. Regional priorities

Article 8.3

The Minister may award grants for activities that promote or help to promote social and political ties and economic cooperation between the Netherlands and countries which require special attention in connection with Dutch policy on international relations.

Part 9. Opinion-forming, public information and promoting public support for development cooperation and foreign relations

Division 1. Development cooperation

Article 9.1

The Minister may award a grant for activities which promote or help to promote:

- a. knowledge and understanding of and opinion-forming on matters relating to development cooperation, or
- b. public support for development cooperation policy.

Article 9.2

In view of and within the framework of the objectives referred to in article 9.1, activities will be eligible for a grant if they focus on or promote:

- a. public information in the widest sense and information aimed at specific target groups;
- b. thematic meetings, conferences, seminars and international events;
- c. the publication and distribution of material, or
- d. educational activities which serve or help to increase knowledge of developing countries in the Netherlands.

Division 2. Foreign relations

Article 9.3

The Minister may award a grant for activities which promote or help to promote:

- a. knowledge and understanding of and opinion-forming on matters relating to foreign relations, or
- b. public support for policy on foreign relations, or
- c. a positive image of the Netherlands abroad.

Article 9.4

In view of and within the framework of the objectives referred to in article 9.3, activities will be eligible for a grant if they focus on or promote:

- a. public information in the widest sense and information aimed at specific target groups;
- b. thematic meetings, conferences, seminars and international events;
- c. the publication and distribution of material, or
- d. educational activities which serve or help to increase knowledge and understanding of, and opinion-forming on, matters relating to foreign relations.

Part 10. Public-private partnerships and special cases

Division 1. Public-private partnerships

Article 10.1

For the purposes of this part, a public-private partnership is deemed to be: a collaborative venture involving, on the one hand, one or more government bodies and, on the other, one or more non-profit-making organisations from the business sector or parties which are intent on implementing common objectives through activities, such that each of the parties delivers part of the necessary input and bears part of the accompanying risks.

Article 10.2

1. The Minister may award grants with a view to implementing activities, as referred to in these Regulations, carried out in the framework of public-private partnership.
2. In awarding grants, the Minister may waive the grant ceiling fixed for the activities concerned, the provisions laid down pursuant to article 7, paragraph 3 of the Grants Decree, the provisions of articles 4.12 to 4.16 and the requirements laid down in these Regulations as to the nature of the grant recipient.
3. The grant will be awarded in the form of an activities grant, where appropriate in addition to a core-funding grant already awarded to the same recipient. The grant recipient is responsible for managing the grant funds in such a way that the grant is exclusively spent on the activities for which it was awarded and that it can be specifically accounted for.

Article 10.3

If the public-private partnership does not have legal personality, the grant may be awarded solely to one of its members who does have legal personality, without prejudice to article 4, paragraph 1 of the Grants Decree. The said grant recipient will be responsible for fulfilling all obligations pertaining to the grant, irrespective of which party in the partnership is responsible in practice for implementing the activities concerned.

Article 10.4

1. The grant application will describe how each of the parties contributes to the activities of the public-private partnership and give an account of the decision-making process within the partnership.
2. If the public-private partnership does not have legal personality, the grant application must include an agreement between the parties guaranteeing that they will fulfil their obligations towards the Minister in respect of the grant.

Division 2. Special cases

Article 10.5

1. In exceptional cases, the Minister may, within the framework of section 2 of the Framework Act, award grants:
 - a. for activities other than those referred to in these Regulations, or
 - b. contrary to one or more provisions of these Regulations, including the policy rules announced for this purpose pursuant to article 6 of the Grants Decree, if, in the Minister's opinion, the activities for which the grant is awarded make a significant contribution to achieving the Minister's policy objectives.
2. A decision to award a grant contrary to one or more provisions of these Regulations must indicate which provisions have been waived, and will remain in force for a maximum of two years.

Part 11. Concluding provisions

Article 11.1

The Ministry of Foreign Affairs Grant Regulations and the General Development Cooperation Organisations Grant Regulations are hereby revoked.

Article 11.2

These Regulations enter into force on 1 January 2006. If the Government Gazette in which these Regulations appear is published after 30 December 2005, these Regulations will enter into force on the second day after the date of publication of the Government Gazette in which they appear and will have retroactive effect to 1 January 2006.

Article 11.3

These Regulations are to be cited as the Ministry of Foreign Affairs Grant Regulations 2006.

These Regulations and the explanatory memorandum will be published in the Government Gazette.

Bernard Bot
Minister of Foreign Affairs

Agnes van Ardenne-van der Hoeven
Minister for Development Cooperation