# Early Stage Innovation Companies (ESICs)

Presented by Charl Van Den Berg



#### AN INVESTMENT IN KNOWLEDGE PAYS THE BEST INTEREST

- Benjamin Franklin

### **ESICs**

Why are they so attractive?

# 20% tax offset for qualifying investment in an ESIC

- Capped at \$200k per year ('affiliate inclusive')
- Maximum annual \$50k investment for retail investors

#### Modified tax treatment of shares

- Deemed CGT treatment
- Disregard gain/loss if sell within1 10 years
- Market value cost base if still hold at 10 years

# ESIC Requirements

1. Early stage test (objective); AND

2.100-point innovation test (objective); OR

3. Principles-based innovation test (subjective)

## Early Stage Test

- Recently established
  - Was incorporated or registered on the
     ABR within the last 3 income years: or
  - Was registered within the last 6
    income years and all of its 100%
    subsidiaries spent \$1m or less across
    the last 3 income years.
- Expenses <\$1m in prior year</li>
- Revenue <\$200k in prior year; and</li>
- Not listed on any stock exchange (Australia or foreign)

#### 100 Point Innovation Test

Item	Points	Innovation Criteria
1	75	50% plus of total expenses in prior year is R&D expenditure
2	75	Accelerating Commercialisation Grant under the Entrepreneur Programme
3	50	15% - 50% of total expenses prior year is R&D expenditure
4	50	Done or doing an 'independently selected' and 'established' accelerator program
5	50	Raised at least \$50,000 capital from independent parties
6	50	Been granted standard patent rights in Australia within last 5 years (or foreign equivalent)
7	25	Been granted innovation patent rights or registered design in Australia within last 5 years (or foreign equivalent)
8	25	Written agreement with eligible entities to co-develop or commercialise new product etc.

# Principles Based Innovation Test

- 1.Genuinely focussed on 'developing for commercialisation' new products, process, services etc.
- 2. Business has high growth potential;
- 3. Demonstrated ability to scale the business;
- 4. Demonstrated ability to address broader than local market; and
- 5. Demonstrated potential for **competitive** advantage



#### Thank you!

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