**STATE AID AND DE MINIMIS AID**

**Project**

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| --- | --- |
| Project title |  |
| Project serial number |  |
| Name of applicant |  |
| Applicant’s registration number |  |

|  |  |
| --- | --- |
| The project complies with State aid rules (the defining elements of State aid under Article 107(1) of the TFEU).  The project does not constitute unlawful State aid, or will be implemented on the basis of the relevant exemptions, e.g. the de minimis scheme, the General Block Exemption Regulation, or a European Commission decision in the matter. | Describe the link between the project and its outputs and the individual defining elements of State aid:   1. the aid is provided by the State or from public resources; 2. the aid is selective, i.e. it favours a particular undertaking or sector; 3. competition in the EU internal market is or may be distorted; 4. the aid affects trade between EU Member States.   Based on the assessment of fulfilment of the defining elements of State aid, propose a State aid regime suitable for supporting the submitted project proposal. |

**Applicant’s declaration on the State aid regime**

|  |  |  |
| --- | --- | --- |
| **State aid regime** | **Mark the applicable option with an “X”** | **Signature of executive officer** |
| The implemented project does not constitute State aid. |  |  |
| The project will be implemented under the “de minimis” scheme. |  |  |

**Justification of the chosen State aid – de minimis regime:**

**Project does not constitute State aid**

|  |  |
| --- | --- |
| **Elements of State aid** | **Project links to State aid elements**  **Yes/No (if “No”, give brief justification)** |
| 1. the aid is provided by the State or from public resources |  |
| 1. the aid favours certain undertakings or certain sectors of economic activity and is selective |  |
| 1. trade between Member States is affected |  |
| 1. competition is or may be distorted |  |

**A project does not constitute State aid if at least one of the above elements of State aid can be excluded.**

**Applicant’s statutory declaration that the above particulars are accurate and true.**

|  |  |
| --- | --- |
| Date: |  |
| Signature of executive officer: |  |

**De minimis**

Declaration by the applicant that, as at the date of submission of the grant application, the applicant **has not exhausted the ceiling for de minimis aid**.

|  |  |
| --- | --- |
| Date: |  |
| Signature of executive officer: |  |

**Where the “de minimis” scheme is used, the applicant shall submit the completed form “Statutory declaration of an applicant for support under the de minimis scheme”.**

**If several recipients of de minimis aid are involved in the project, each recipient of de minimis aid shall complete and sign a separate declaration of honor.**

**Statutory declaration of an applicant for support under the de minimis scheme[[1]](#footnote-1)**  **(as per Regulation (EU) 2023/2831)**

|  |  |
| --- | --- |
| **Business/other name of applicant** |  |
| **Registered office** |  |
| **Registration number** |  |

1. Undertakings[[2]](#footnote-2) linked to the applicant for support

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| **An applicant for support is deemed to be linked[[3]](#footnote-3) with other undertakings if these entities are in any of the following relationships:**  (a) one entity holds more than 50% of the voting rights attached to shares or membership interests in another entity;  (b) one entity has the right to appoint or remove more than 50% of the members of the administrative, management, or supervisory body of another entity;  (c) one entity has the right to exercise more than 50% influence in another entity under an agreement with that entity or under provisions in its instrument of incorporation or statutes;  (d) one entity, being a shareholder or member of another entity, controls alone, under an agreement concluded with other shareholders or members of that entity, more than 50% of the voting rights attached to shares or membership interests in that entity.  Entities having with the applicant any of the relationships referred to in points (a) to (d) through one or more other entities are also deemed to be undertakings linked with the applicant for support. |

The applicant declares that it:

**is not** linked, in the above sense, with any other undertaking.

**is** linked, in the above sense, with the following undertakings:

|  |  |  |
| --- | --- | --- |
| **Business name of undertaking** | **Registered office** | **Registration number** |
|  |  |  |
|  |  |  |
|  |  |  |
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1. The applicant declares that the undertaking (the applicant), within the last 36 months in the case of aid under Regulation (EU) 2023/2831:

**did not** arise through a merger or acquisition of an undertaking.

**arose** through a merger (by the formation of a new company[[4]](#footnote-4)) of the undertakings listed below:

acquired, through a merger (by acquisition[[5]](#footnote-5)), the assets of the undertaking(s) listed below:

|  |  |  |
| --- | --- | --- |
| **Business name of undertaking** | **Registered office** | **Registration number** |
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|  |  |  |

1. The applicant declares that the undertaking (the applicant), within the last 36 months in the case of aid under Regulation (EU) 2023/2831:

**did not arise** through a division (demerger or spin-off[[6]](#footnote-6)) of an undertaking.

**arose** through a division of the undertaking below:

|  |  |  |
| --- | --- | --- |
| **Business name of undertaking** | **Registered office** | **Registration number** |
|  |  |  |

and took over its activities for which de minimis aid had previously been granted.[[7]](#footnote-7) The undertaking (applicant) has been allocated the following (previously granted) aid:

|  |  |  |
| --- | --- | --- |
| **Date of provision** | **Provider** | **Amount (CZK)** |
|  |  |  |
|  |  |  |

1. By signing below, the applicant:

* confirms that the above information is correct and complete and is provided voluntarily;
* undertakes that in the event of any change to the above information during the administrative process of granting de minimis aid, it will inform the provider of the relevant aid of the changes without undue delay.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Date and place of signature** |  | | | |
|  | | | | |
| **Name and signature of the person authorised to represent the applicant** |  |  | **Stamp** (if part of the applicant’s signature block) |  |

*The information contained in this declaration will, for the purpose of recording de minimis aid, be entered in the Central Register of De Minimis Aid in accordance with Act No 215/2004 regulating certain relations in the field of State aid and amending the Act on the promotion of research and development, as amended.*

1. Further information on conditions for the granting of support under the de minimis scheme is available at: <https://uohs.gov.cz/cs/verejna-podpora/podpora-de-minimis-a-registr-de-minimis.html> and at <https://mze.gov.cz/public/portal/mze/dotace/verejna-podpora-a-de-minimis/legislativa/legislativa-eu> [↑](#footnote-ref-1)
2. For the purposes of State aid law, an undertaking means any entity engaged in economic activity, i.e. offering goods and/or services on the market. This includes non-profit organisations, sports clubs, associations, or entities formally forming part of public administration, if they offer services/products on the market; such entities are considered undertakings for the purposes of State aid rules. [↑](#footnote-ref-2)
3. Detailed guidance on linked undertakings is provided in the METHODOLOGICAL GUIDE (download at <https://www.uohs.cz/download/Sekce_VP/VP_update/Prirucka_k_pojmu_jeden_podnik_rev_01_06_-2024.pdf>) on the concept of “a single undertaking” under de minimis rules. [↑](#footnote-ref-3)
4. See Section 62 of Act No 125/2008 on transformations of companies and cooperatives, as amended. [↑](#footnote-ref-4)
5. See Section 61 of Act No 125/2008. [↑](#footnote-ref-5)
6. See Section 243 of Act No 125/2008. [↑](#footnote-ref-6)
7. Where it is not possible to apportion previously granted de minimis aid to the activities taken over, the aid shall be apportioned proportionately on the basis of the book value of equity of the new undertakings at the date the division took effect (see Article 3(9) of Regulations (EU) 1408/2013, 717/2014, 2023/2831, and 2023/2832). [↑](#footnote-ref-7)