**INTERREG VI-A IPA**

**HUNGARY-SERBIA PROGRAMME**

**ANNEX II**

**TO THE 2nd CALL FOR PROPOSALS PACKAGE**

**DECLARATION IN CASE OF DE MINIMIS AID GRANTED**

**ON THE BASIS OF COMMISSION REGULATION**

**(EU) NO. 2023/2831**

This Declaration must be printed and certified by the legally authorised representative of the potential partner, e.g. the Applicant organisation. The signed and scanned document shall be attached to the application.

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| **1. Data of the Applicant** | |
| Name: |  |
| Project acronym: |  |
| Tax number: |  |
| Contact data: |  |
| Representative with signature authority: |  |
| E-mail address: |  |
| Role of the organisation[[1]](#footnote-1): | Lead Partner/ Partner 1/ Partner 2 / Partner 3/ Partner 4/ Partner 5 |
| *(Please mark with X, if relevant)*  ⬜ Merger during the past 3 years (3\*365 days)  ⬜ Splitting during the past 3 years (3\*365 days) of undertakings | |
| Date of merger/ splitting: | \_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_  (year) (month) (day) |

I hereby declare that to the applicant I represent and to all other undertakings with which the applicant is considered to be a ”single undertaking” within the meaning of Article 2 (2) of Commission Regulation (EU) 2023/2831 the following de minimis aid have been granted in Hungary/Serbia[[2]](#footnote-2) during the period of 3 years (3\*365 days, in case of leap year 366 days) before the signature of the present declaration.

My declaration also covers de minimis aid for which the applicant and the undertakings with which the applicant is considered to be a single undertaking have applied (rejected applications do not need to be declared, only those that are being evaluated).

My declaration also contains data necessary to comply with Article 3 paragraph (8)-(9) of Commission Regulation (EU) 2023/2831. **[[3]](#footnote-3)**

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| **2.**  **Granted and applied de minimis aid/s[[4]](#footnote-4)** | | | | | | | | |
| no | Legal basis (No. of the Commission Regulation)[[5]](#footnote-5) | Granting authority | Beneficiary and objective of the aid | Has the aid been used for road freight transport for hire or reward? | Date of the application for aid  (if a decision has not yet been made on the aid) | Date of the aid granting | Amount of aid in  EUR | Gross grant equivalent[[6]](#footnote-6) in  EUR |
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| **3. Data on „single undertaking”** | |
| I hereby declare that the applicant and the below-mentioned undertakings are considered to be a single undertaking within the meaning of Article 2 (2) of Commission Regulation (EU) 2023/2831 | |
| Name of undertaking | VAT number |
|  |  |
|  |  |

De minimis aid granted shall not be cumulated with State aid in relation to the same eligible costs or with State aid for the same risk finance measure, if such cumulation would exceed the highest relevant aid intensity or aid amount defined in a block exemption regulation or a decision adopted by the European Commission. Accordingly, I declare the following on behalf of the applicant.

My declaration also covers aid applications in relation to the same eligible costs as the eligible costs of de minimis aid concerned by this declaration, and aid applications for risk finance measures submitted by the applicant for which the applicant also requests de minimis aid concerned by this declaration (rejected applications do not need to be declared, only those that are being evaluated).

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| **4. Data on state aid granted in relation to the same eligible costs or for the same risk finance measures** | | | | | | | | |
| no | Legal basis (No of the Commission Regulation)[[7]](#footnote-7) | Granting authority | Aid category (e.g.: Regional investment and operating aid | Date of application for aid (if a decision has not yet been made on the aid) | Date of the aid granting | The total amount of the same eligible costs at nominal value | Gross grant equivalent of state aid granted with the same risk financing measure / gross grant equivalent of state aid granted with the same eligible costs[[8]](#footnote-8) | Maximum aid intensity (%) or maximum aid amount |
| Eur | Eur |  |
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I declare that I am the authorized representative of the applicant and that the information provided above is accurate, complete and true.

I give my consent to the data controller handing over the above data to the relevant authorities.

I understand that in the period between the date of the declaration and the date of the grant[[9]](#footnote-9), if the applicant is granted with other de minimis aid or other state aid to be taken into account from the point of view of the cumulation, the applicant is obliged to notify the granting authority immediately - even before the granting of the aid in this declaration, and is obliged to issue this declaration again with appropriately modified data content.

|  |  |
| --- | --- |
| Date |  |
| Place |  |
| Signature |  |
| Name and position |  |

1. Please keep the relevant role and delete the rest. [↑](#footnote-ref-1)
2. Please delete the one, which is not relevant. [↑](#footnote-ref-2)
3. Please note for mergers and acquisitions: All prior de minimis aid granted to any of the merging undertakings shall be taken into account in determining whether any new de minimis aid to the new or the acquiring undertaking exceeds the relevant threshold. De minimis aid lawfully granted before the merger or acquisition shall remain lawful.

   Please note for splitting of undertakings: If one undertaking splits into two or more separate undertakings, de minimis aid granted prior to the split shall be allocated to the undertaking that benefited from it, which is in principle the undertaking taking over the activities for which the de minimis aid was used. If such an allocation is not possible, the de minimis aid shall be allocated proportionately between the undertakings in the splitting on the basis of the book value of the equity capital on the effective date of the split. [↑](#footnote-ref-3)
4. When providing the de minimis declarations and amounts I have considered all undertakings (all these undertakings are part of the 'single undertaking'), mergers and splitting of undertakings. [↑](#footnote-ref-4)
5. (EU) No 360/2012, (EU) No 1407/2013, (EU) 2023/2831, (EU) No 1408/2013 , or (EU) No 717/2014 Commission Regulation. [↑](#footnote-ref-5)
6. calculated in Hungary according to annex 2 of Government Decree No. 37/2011 (III.22.) on the procedure related to state aid within the meaning of European Union competition law and on the regional aid map [↑](#footnote-ref-6)
7. Please consider adding a footnote that „According to Article 7 (1) of the Commission Regulation (EU) 2023/2831, the provisions set in this Regulation shall apply to aid granted before the entry into force of this Regulation, if the aid fulfils all the conditions laid down in this Regulation. Therefore, de minimis aid granted during the current fiscal year and the previous two fiscal years shall be listed regardless it was granted on the basis of Commission Regulation (EU) 1407/2013, (EU) 360/2012, (EU) 2023/2831, (EU) 1408/2013, or (EU) 717/2014. [↑](#footnote-ref-7)
8. calculated in Hungary according to annex 2 of Government Decree No. 37/2011 (III.22.) on the procedure related to state aid within the meaning of European Union competition law and on the regional aid map [↑](#footnote-ref-8)
9. De minimis aid shall be deemed granted at the moment the legal right to receive the aid is conferred on the applicant undertaking under the applicable national legal regime irrespective of the date of payment of the de minimis aid to the applicant undertaking. This moment is generally the date of the contract including de minimis aid. [↑](#footnote-ref-9)