**DECLARATION**

**IN CASE OF DE MINIMIS AID GRANTED ON THE BASIS OF COMMISSION REGULATION (EU) 2023/2831**

This Declaration must be printed and certified by the legally authorised representative of 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) |

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| --- | --- |
| **2. Data on „single undertaking”** | |
| I declare that within the meaning of Article 2 (2) of Commission Regulation (EU) 2023/2831 Applicant is considered to be a ,,single undertaking” with the following undertakings. | |
| **Name of the undertaking** | **Tax number** |
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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 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 (8)-(9) of Commission Regulation (EU) 2023/2831.[[2]](#footnote-2)

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| **3. Granted and applied de minimis aid/s[[3]](#footnote-3)** | | | | | | | | | |
| **No** | **Legal basis (No of the Commission Regulation [[4]](#footnote-4))** | **Granting authority** | **Beneficiary and objective of the aid** | **Date of application for aid [[5]](#footnote-5)** | **Date of the aid granting** | **Amount of aid** | | **Gross aid equivalent [[6]](#footnote-6)** | |
| **HUF** | **EUR** | **HUF** | **EUR** |
|  |  |  |  |  |  |  |  |  |  |
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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.[[7]](#footnote-7)

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)** | **Granting authority** | **Aid category (e.g.: Regional investment aid)** | **Date of application for aid [[8]](#footnote-8)** | **Date of the aid granting** | **The total amount of the same eligible costs at value at the moment of granting** | | **Gross grant equivalent of state aid granted with the same risk finance measure / gross grant equivalent of state aid granted with the same eligible costs [[9]](#footnote-9)** | | **Maximum aid intensity (%) or maximum aid amount** |
| **HUF** | **EUR** | **HUF** | **EUR[[10]](#footnote-10)** |
|  |  |  |  |  |  |  |  |  |  |  |
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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[[11]](#footnote-11) 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:

……………………………..

Applicant

(signature, stamp)

1. Please keep the relevant role and delete the rest. [↑](#footnote-ref-1)
2. In the case of mergers or acquisitions, all prior *de minimis* aid granted to any of the merging undertakings shall be taken into account when determining whether any new *de minimis* aid to the new or the acquiring undertaking exceeds the ceiling laid down in paragraph 2. *De minimis* aid lawfully granted before the merger or acquisition shall remain lawful.

   If one undertaking splits into two or more separate undertakings, *de minimis* aid granted before 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 on the basis of the book value of the equity capital of the new undertakings at the effective date of the split. [↑](#footnote-ref-2)
3. In case of applying the rules of merger and splitting or ,,single undertaking” concept, this field also shall be filled in. [↑](#footnote-ref-3)
4. (EU) No 360/2012, (EU) No 1407/2013, (EU) 2023/2831, (EU) No 1408/2013 , or (EU) No 717/2014 Commission Regulation [↑](#footnote-ref-4)
5. if a decision has not yet been made on the aid. [↑](#footnote-ref-5)
6. Annex 2 of Hungarian 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. Statement shall be made exclusively in the respect of the Applicant, in case of applying the rules of merger and splitting or ,,single undertaking” concept, statement shall not be made. [↑](#footnote-ref-7)
8. If a decision has not yet been made on the aid. [↑](#footnote-ref-8)
9. On the basis of Annex 2 of Hungarian Government Decree No. 37/2011 (III.22.) [↑](#footnote-ref-9)
10. Shall be calculated according to Hungarian Government Decree No. 37/2011 (III.22.) 35. § (1) [↑](#footnote-ref-10)
11. De minimis aid shall be considered granted if, within the meaning of applicable national legal regime, the legal right to receive the aid is conferred to the beneficiary undertaking regardless of the date when the de minimis aid is disbursed. E.g. in case of a contract that includes de minimis aid this date is typically the date of the contract. [↑](#footnote-ref-11)