APPENDIX 1

**STATE AID DECLARATION (DE MINIMIS)**

**Research Excellence Programme**

If the submitted application is approved, the Project will benefit from *de minimis* State aid in line with the [*Commission Regulation (EU) No. 1407/2013*](http://ec.europa.eu/competition/state_aid/legislation/de_minimis_regulation_en.pdf) of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to the *de minimis* aid, as amended by *Commission Regulation (EU) 2020/972* of 2 July 2020 amending *Regulation (EU) No 1407/2013* as regards its prolongation and amending *Regulation (EU) No 651/2014* as regards its prolongation and relevant adjustments.

*Commission Regulation (EU) No 1407/2013* allows a ‘single undertaking’ to receive an aggregate maximum amount of *de minimis aid* of EUR 200, 000 under all *de minimis* aid measures, over a period of three ‘fiscal years’. This aggregate maximum threshold applies in principle to all economic sectors with the exception of a ‘single undertaking’ performing road freight transport for hire and reward for which a lower de minimis threshold of EUR 100,000 over any period of three ‘fiscal years’ applies. The agriculture and fisheries sectors are subject to different thresholds and criteria. For the purpose of this declaration, the term ‘single undertaking’ shall have the meaning as established in *Commission Regulation (EU) No 1407/2013*. Moreover, ‘fiscal year’ means the fiscal year as used for tax purposes by the undertaking concerned.

This maximum threshold would include all State aid granted under this scheme and any other State aid measure granted under the *de minimis* rule1. Any *de minimis* aid received in excess of the established threshold will have to be recovered, with interest, from the undertaking receiving the aid.

The following is an indicative list of the possible forms of State Aid:

* Grants from public bodies
* Loans or loan guarantees at favourable rates
* Tax benefits
* Waiving or deferral of fees or interest normally due
* Marketing and advertising assistance
* Consultancy, training and other support provided either free or at a reduced rate
* Aid for investment in environmental projects or research and development assistance
* Purchase, rent or lease of immovable property at less than market rate.

Potentially any assistance from a public body may constitute State Aid. Should you have any doubts whether any public assistance received is *de minimis* aid, you should contact the agency or department from which the assistance was received in order to ascertain this.

**DECLARATION**

I declare that a comprehensive amount of *de minimis* aid received to date during the current fiscal year and the previous two fiscal years is:

|  |  |  |  |
| --- | --- | --- | --- |
| **Fiscal Year 2019** | **Fiscal Year 2020** | **Fiscal Year 2021** | **TOTAL** |
| € brian warrington | € brian warrington | € brian warrington | € brian warrington |

A breakdown of the source, type and amount of all *de minimis* aid received as well as that applied for from any State aid grantor, is presented overleaf.

An updated State Aid *(de minimis)* Declaration form is to be submitted upon the signing of the Grant Agreement should the project be selected for funding.

**RULE**

|  |  |  |
| --- | --- | --- |
| Business Undertaking (Full Legal Name) |  | VAT Registration Number |
| Name and Surname (BLOCK CAPITALS) |  | Position in Establishment |
| Signature |  | Date |

**Detailed Information Concerning Applicable State Aid Under the *De Minimis* Rule For Fiscal Years 2019, 2020, 2021**

**Section 1 – De Minimis State Aid Awarded**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Date** | **Source/**  **Grantor** | **Type of State Aid**  ***(Name of Measure)*** | **Awarded**  **To** | **Amount**  **in €** |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
| **Total (A1)** | | | |  |

**Section 2 – *De Minimis* State Aid Still Pending For Approval**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Date** | **Source/**  **Grantor** | **Type of State Aid**  ***(Name of Measure)*** | **Awarded**  **To** | **Amount**  **in €** |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
| **Total (A2)** | | | |  |

**Section 3 – *De Minimis* State Aid Requested in This Application**

|  |  |  |  |
| --- | --- | --- | --- |
| **Date** | **Source/**  **Grantor** | **Type of State Aid**  ***(Name of Measure)*** | **Amount in € (A3)** |
|  | MCST |  |  |

|  |  |
| --- | --- |
| **TOTAL of Sections 1,2 and 3 above**  **(A1 + A2 + A3)** | **€** |

APPENDIX 2

DECLARATIONS WHERE STATE AID IS NOT APPLICABLE

**PUBLIC RESEARCH AND KNOWLEDGE DISSEMINATION ORGANISATIONS THAT DO NOT CARRY OUT AN ECONOMIC ACTIVITY WITHIN THE MEANINIG OF ARTICLE 107 TFEU**

Project Application: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The Applicant, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, declares the following:

The planned research is to be carried out in the context of its activities as a “research and knowledge dissemination organisation” as defined in the Commission Framework for State aid for research and development and innovation (2014/C 198/01) paragraph 15(ee), which carries out a non-economic activity in line with the following:

1. primary activities of research organisations and research infrastructures, in

particular:

* education for more and better skilled human resources.
* independent R&D for more knowledge and better understanding, including collaborative R&D where the research organisation or research infrastructure engages in effective collaboration;
* wide dissemination of research results on a non-exclusive and non-discriminatory basis, for example through teaching, open-access databases, open publications or open software;

(b) knowledge transfer activities, where they are conducted either by the research organisation or research infrastructure (including their departments or subsidiaries) or jointly with, or on behalf of other such entities, and where all profits from those activities are reinvested in the primary activities of the research organisation or research infrastructure. The non-economic nature of those activities is not prejudiced by contracting the provision of corresponding services to third parties by way of open tenders.

The Applicant intends to:

1. Publicise widely the results of the research;
2. License on non-discriminatory terms any Intellectual Property Rights (IPRs) resulting from the research at the market price for the said IPR;
3. Any income from the licensing of IPR shall be reinvested in the primary educational and research activities of the Beneficiary;
4. Appropriate procedures shall be established to prevent the direct or indirect support of economic activity in the meaning of Article 107of the Treaty on the Functioning of the European Union

The Applicant understands that, should it be found to be in breach of the conditions for being exempt from State Aid regulations, the Managing Authority will enforce the retrieval of funds with interest, in part or in full, as the case may necessitate.

The Applicant also undertakes to comply faithfully and immediately with any decision of the European Commission or a Maltese judicial authority declaring Article 107(1) TFEU to be applicable to this Agreement.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Legal Representative

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date

APPENDIX 3

DECLARATIONS WHERE STATE AID IS NOT APPLICABLE

**PUBLIC ENTITIES WHOSE ACTIVITY DOES NOT CONSTITUTE AN ECONOMIC ACTIVITY WITH IN THE MEANING OF ARTICLE 107 OF THE TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION (EXCLUDING PUBLIC RESEARCH AND KNOWLEDGE DISSEMINATION ORGANISATIONS)**

Project Application: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The Applicant, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, declares the following:

State Aid within the meaning of Article 107 TFEU is not applicable to the Applicant and/or the type of research being undertaken is claimed by the Applicant not to constitute an economic activity within the meaning of Article 107 of the Treaty on the Functioning of the European Union.

The Applicant intends to:

1. Publicise widely the results of the research;
2. License on non-discriminatory terms any Intellectual Property Rights (IPRs) resulting from the research at the market price for the said IPR;
3. Any income from the licensing of IPR shall be reinvested in the primary educational and research activities of the Beneficiary;
4. Ensure that no funds provided by this Agreement cross-subsidises any economic activities that may be carried out by the Beneficiary, other partners in the project, or third parties.

The Applicant understands that, should it be found to be in breach of the conditions for being exempt from State Aid regulations, the Managing Authority will enforce the retrieval of funds with interest, in part or in full, as the case may necessitate.

The Beneficiary undertakes to comply faithfully and immediately with any decision of the European Commission or a Maltese judicial authority declaring Article 107(1) TFEU to be applicable to this Agreement.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Legal Representative

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date

APPENDIX 4

SCIENTIFIC AREAS AS SPECIFIC AREAS OF RESEARCH

