**DECLARATIONS WHERE STATE AID IS NOT APPLICABLE**

**ENTITIES WHOSE ACTIVITY DOES NOT CONSTITUTE AN ECONOMIC ACTIVITY IN THE MEANING OF ARTICLE 107 OF THE TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION (EXCLUDING PUBLIC ACADEMIC ENTITIES)**

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

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

State Aid within the meaning of Article 107TFEU 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. Where applicable, applicants need to ensure adherence to Section 2.2 “Indirect State aid to undertakings through public funded research and knowledge dissemination organisations and research infrastructures” of the Framework for State aid for research and development and innovation (2014/C 198/01).

The Applicant intends to:

a) publicise widely the results of the research;

b) license on non-discriminatory terms any Intellectual Property Rights (IPRs) resulting from the research at the market price for the said IPR;

c) any income from the licensing of IPR shall be reinvested in the primary educational and research activities of the Beneficiary;

d) 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