***De minimis* declaration by the applicant**[[1]](#footnote-1)

as defined by the EU regulations on *de minimis* aid

1. **Details on the applicant/undertaking**

Applicant/undertaking:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The undertaking operates in the commercial road transport sector: YES [ ]  NO [ ]

If the undertaking operates in this sector, the total amount of *de minimis* aid granted to a single undertaking by a Member State may not exceed EUR 100,000 over a period of three fiscal years. For all other sectors, the total amount of general *de minimis* aid for a single undertaking may not exceed EUR 200,000 over a period of three fiscal years pursuant to Commission Regulation (EU) No. 1407/2013, OJ (EU) No. L 352 of 24 December 2013, p.1.

1. **Definitions and explanations**

a) In this declaration, you must declare all the *de minimis* aid that your enterprise or group of enterprises has received as *‘a single undertaking’* in the current and previous two calendar years.

b) For the purpose of the *de minimis* regulations, enterprises are to be regarded as *‘a single undertaking’* if they have at least one of the following relationships with each other:

* one enterprise has a majority of the shareholders’ or members’ voting rights in another enterprise;
* one enterprise has the right to appoint or remove a majority of the members of the administrative, management or supervisory body of another enterprise;
* one enterprise has the right to exercise a dominant influence over an enterprise pursuant to a contract entered into with that enterprise or to a provision in its memorandum or articles of association;
* one enterprise, which is a shareholder in or member of another enterprise, controls alone, pursuant to an agreement with other shareholders in or members of that enterprise, a majority of shareholders’ or members’ voting rights in that enterprise.

Enterprises linked to one another through one or more other enterprises in one of the aforementioned ways are also considered to be a single undertaking.

c) In the event of a *‘merger’* or *‘acquisition’*, all *de minimis* aid granted to the enterprises involved during the current and previous two calendar years must be declared. If an undertaking *‘splits’* into two or more separate undertakings, *de minimis* aid will be allocated to the undertaking taking over the activities for which the *de minimis* aid was used. If this is not possible, the *de minimis* aid must be allocated proportionately on the basis of the book value of the equity capital at the effective date of the split.

1. **Declaration**

**3.1**

**I hereby declare** that in the current and previous two calendar years, I/the aforementioned undertaking and any other enterprises linked to it as laid out in the criteria stated in sec. 2 received/applied for

no aid [ ]  the following aid [ ]  (see details in sec. 3.2)

as defined in the following regulations (please highlight the *de minimis* aid applied for in the column ‘Date of approval’):

* **General *de minimis* aid**
as defined by **Commission Regulation (EU) No. 1407/2013** of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid[[2]](#footnote-2)
* **Agricultural *de minimis* aid**
as defined by **Commission Regulation (EU) No. 1408/2013** of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid in the agriculture sector[[3]](#footnote-3)
* **Fishery *de minimis* aid**
as defined by **Commission Regulation (EU) No. 717/2014** of 27 June 2014 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid in the fishery and aquaculture sector[[4]](#footnote-4)
* **SGEI *de minimis* aid**
as defined by **Commission Regulation (EU) No. 360/2012** of 25 April 2012 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid granted to undertakings providing services of general economic interest[[5]](#footnote-5) **if such aid exceeds a total of EUR 300,000** (please only state **the amount exceeding EUR 300,000**)

**3.2.**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Applicant and enterprises in the group, if applicable (see sec. 2)** | **Date of approval** | **Granted by** | **Ref.** | **Type of *de minimis aid* (see sec. 3.1)** | **Value of aid in EUR** |
|  |  |  |  |  |  |
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*If the space provided is not enough, for example due to various aid granted to an extensively linked group of enterprises, please use a separate sheet.*

**3.3**

For the expenses incurred in connection with this project, I/we/the undertaking have/has been granted

[ ]  no aid

[ ]  the other state aid listed in the Annex (*please attach*)

**3.4**

I/we are aware that the information supplied in secs. 1 and 3 is relevant to the granting of subsidies as defined by sec. 264 of the German Penal Code (*Strafgesetzbuch* – StGB) and that subsidy fraud constitutes a criminal offence under this provision. I/we undertake to notify you of any changes to the aforementioned information as soon as I/we become aware of them.

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

*Place, date Stamp/legally binding signature of the applicant or legal representative*

1. 1 or an undertaking involved in the project and eligible for state aid [↑](#footnote-ref-1)
2. OJ (EU) No. L 352 of 24 December 2013, p.1. [↑](#footnote-ref-2)
3. OJ (EU) No. L 352 of 24 December 2013, p. 9. [↑](#footnote-ref-3)
4. OJ (EU) No. L 190 of 28 June 2014, p. 45. [↑](#footnote-ref-4)
5. OJ (EU) No. L 114 of 26 April 2012, p. 8. [↑](#footnote-ref-5)