

## **Declaration of De-minimis Aid**

To comply with EU regulations on state aid, it is necessary to confirm whether the affected company has received any additional De-minimis aid in Germany within the relevant period.

### **What is De-minimis aid?**

De-minimis aid refers to small amounts of state support that do not require prior approval by the European Commission because they are considered too insignificant to affect competition. Under EU Regulation (EU) No. 2023/2831, companies can receive up to **€300,000** in such aid over a three-year period.

### **What do you need to do?**

If your company has received or applied for any other De-minimis aid in Germany during this period, it must be declared. The granting authority must ensure compliance with the maximum aid thresholds. Therefore, it is necessary to confirm whether additional De-minimis aid has been received in Germany and, if so, to provide details of such aid.

## De minimis declaration by the applicant

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

(Mark with a cross and fill in as applicable)

### 1. Details on the company making the application

Applicant: \_\_\_\_\_

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

### 2. Definitions and explanations

Pursuant to the Commission Regulation (EU) 2023/2831 of 13 December 2023 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid (general *de minimis* regulation),<sup>1</sup> “*de minimis*” is understood to be state aid of up to €300,000 granted to an undertaking over a period of three years.

In line with the stated regulation, the granting authorities are obliged to demand a complete overview from the beneficiary undertaking of any “*de minimis*” aid received or applied for in accordance with this regulation or with other *de minimis* regulations and to check the cumulation with other state aid.<sup>2</sup>

This declaration must include all the **de minimis aid** that your undertaking or group of undertakings has received in the last three years as “*a single undertaking*” pursuant to Art. 2(2) of the general *de minimis* regulation.

*De minimis* aid must be defined as such by the granting authority. You should be able to find in your documents whether your undertaking/organisation has received “*de minimis aid*” in the past. In this case, you must have received a *de minimis* certificate (e.g. in an annex to a funding notice).

Several affiliated undertakings are to be regarded as *a single undertaking* if one of the following criteria is met:

- one enterprise has a majority of the shareholders’ or members’ voting rights in another enterprise;

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<sup>1</sup> Official Journal of the European Union L 2023/2831, 15.12.2023.

<sup>2</sup> See Article 7(4) of the general *de minimis* regulation.

- 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 another enterprise pursuant to a contract entered into with that enterprise or pursuant 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 having any of the relationships referred to above through one or more other enterprises shall also be considered to be a single undertaking. A connection between undertakings via natural persons shall not be taken into account in the afore-mentioned considerations.

### 3. Declaration

I hereby confirm that in the last three years I, as a *single undertaking* as per Item 2,

a) ☐ have not received or applied for any other "de minimis" aid → **then go straight to b)**

☐ have received or applied for the "de minimis" aid listed below

pursuant to the following regulations (please indicate which de minimis aid was applied for):

- Commission Regulation (EU) 1407/2013 of 18 December 2013 or as of 1 January 2024  
Commission Regulation (EU) 2023/2831 of 13 December 2023 (General De Minimis Regulation),
- Commission Regulation (EU) 1408/2013 of 18 December 2013 (de minimis in agriculture),
- Commission Regulation (EU) 717/2014 of 27 June 2014 (de minimis in the fishery and aquaculture sector),
- Commission Regulation (EU) 360/2012 of 25 April 2012 or as of 1 January 2024  
Commission Regulation (EU) 2023/2832 of 13 December 2023 (de minimis in services of general economic interest)

Applicant and, if applicable, affiliated undertaking (Item 2)	Date of funding notice/ contract	Aid grantor	Reference no.	De minimis aid*				Type of aid (e.g. grant, loan, guarantee)	Funding amount in € (e.g. grant, loan, guarantee amount)	Aid value in €
				General	Agriculture	Fishery	Services of gen. ec. interest			

\*Mark with a cross to denote the type of de minimis aid.

b) The “de minimis” aid hereby applied for shall be combined with other funding (not “de minimis”) for the same project/initiative:

☐ No

☐ Yes, with the following: \_\_\_\_\_

I am/we are aware that the **details entered in Items 1 and 3 are subsidy-relevant pursuant to Section 264 of the German Criminal Code (StGB)**. In accordance with this provision, a punishment, among other things, shall be handed down to anyone who provides a grantor of subsidies, for themselves or another person, with incorrect or incomplete particulars regarding facts which are advantageous for themselves or the other person, such particulars being relevant for the granting of a subsidy (**subsidy fraud**).

I/we pledge to inform the aid-granting body of any changes to the details stated above, provided I/we become aware of them prior to the approval of the funding currently being applied for.

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(Town/City, Date)

Applicant