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| --- | --- |
|  | **INTERREG IPA CBC Programme Greece-Albania 2014-2020**  **CCI Number 2014TC16I5CB010** |

**STATE AID DECLARATION**

**I, the undersigned ..........** *(surname, name, father’s name of the official representative of the organization, as per current legal standing certificate or equivalent)* **identified with the ID card No: .........., issued by .........., on ..........,**

**in my capacity of a legal representative of a partner organization ..........** *(name of headquarters, National registration number)*

**in the project** ………. *(project title),* submitted to the INTERREG IPA CBC Programme Greece-Albania 2014-2020

**Declare that (to tick in the appropriate box, please double-click on it and select “Checked”):**

1. Within the State Aid\*rules and in regards with the planned activities in the project proposal under the Cooperation Programme INTERREG IPA CBC Programme Greece-Albania 2014-2020, the organisation I represent shall be considered as undertaking  / not undertaking \*

2. The activities described in the project proposal (application form and justification of the budget) are  / are not economic/market oriented (*It is not the legal aspect (public or private) but the nature of the activities that the Applicant intends to implement that determines whether the State aid discipline has to be respected or not).*

3. In case the activities in the project are economic/ market oriented, the organisation I represent applies for funding by the Programme under the De minimis Regulation (Commission Regulation (EU) No 1407/2013)

4. (ONLY IF point 3 is applicable)

In the fiscal year in progress and in the two previous fiscal years the organisation I represent and all other entities belonging to the same company group did not benefit  /benefited (as stated below in the table) , from De minimis funding:

In case it benefited from De minimis funding, fill in the following table*[[1]](#footnote-1)*.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **Benefited organisation** (name, national registration number) | **Body granting the aid**  (name, national registration number) | **Purpose/**  **activities covered** | **Amount**  (euro) | **Date of granting** |
| **Year**  **„n“** |  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
| **Year**  **„n-1“** |  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
| **Year**  **„n-2“** |  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
| **Total:** | | | |  |  |

Figures reported in the table above shall be gross (before any deduction from tax or other charge).

The De minimis aid that the body I represent will receive under the project: “…..…”, added up with other De minimis aid received during the last two (2) years and this year, does not exceed the amount of 200.000 Euros[[2]](#footnote-2).

*I acknowledge that untruthful / false declarations, in addition to the administrative sanctions and the request of refunding unduly received contribution charged with the interests, can also be prosecuted by the penal code.*

Signed on behalf of the applicant:

…………………………………….

*(Date/month/year)*

…………………………………….

*(Signature and stamp)*

***\* State aid***

*According to Article 107 (ex. Article 87) of the Treaty on the Functioning of the European Union, state aid is* ***any aid granted by a Member State or through State resources in any form whatsoever which distorts or threatens to distort competition by favoring certain undertakings or the production of certain goods, therefore affecting trade between Member States****.*

***It is not the legal aspect (public or private) but the nature of the activities that the Applicant intends to implement that determines whether the State aid discipline has to be respected or not:***

*- The recipient of the aid is an “undertaking”.*

*- The aid comes from the State, which is always the case for Interreg programmes.*

*- The aid gives an economic advantage (a benefit) which an undertaking would not have obtained under normal market conditions.*

*-The aid is selectively favouring certain undertakings or the production of certain goods.*

*-The grant affects trade between Member States.*

***\*Definition of undertaking***

*An entity which exercises an activity of an economic nature and which offers goods and services in competition (actual or potential) with other operators active in the market, carrying out activities of an economic nature, devoted to the production and marketing of goods and services in the market, regardless of its legal status and whether its aim is to make profit or not. An undertaking can be a public body, a NGO, an association, a university, a private firm, etc.*

*Note that in many cases local public or administrative bodies may be considered to be similar to undertakings.*

***\*Distortion of the market***

*Distortion of the market exists when competition is distorted and this affects trade among Member States.*

*When identifying possible distortion of the market, it is important to consider not the size of the enterprise, but the activities carried out.*

1. In case the project is approved for funding then the beneficiary receiving funds under the de minimis rule can be asked to fill in a more detailed “De minimis declaration” provided by the cooperating country where it is located in order to enable the national system of each cooperating country to monitor the accumulation of the de minimis aid received per beneficiary. [↑](#footnote-ref-1)
2. In the de minimis Regulation it has been clarified in article 3(2) that the total amount of de minimis aid granted per cooperating country to a single undertaking shall not exceed EUR 200 000 over a period of three fiscal years. [↑](#footnote-ref-2)