**selection of state aid scheme**

**Project**

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| --- | --- |
| Project name |  |
| Project number |  |
| Name of applicant |  |
| Applicant's ID number |  |

|  |  |
| --- | --- |
| The project complies with State Aid rules (the defining characteristics of State Aid under Article 107(1) of the TFEU).  The project does not constitute unlawful State Aid or will be implemented under the relevant exemptions, such as the de minimis regime, the General Block Exemption Regulation, or a decision by the European Commission on the matter. | Describe the relationship between the project and the individual project outputs to the defining characteristics of State Aid (the aid is granted by the state or from public sources):   1. The aid is selective, i.e. it favours a particular enterprise or sector. 2. Competition in the EU internal market is distorted or threatened. 3. The aid affects trade between EU member states.   Based on the assessment of the fulfilment of the defining characteristics of State Aid, propose an appropriate State Aid scheme suitable for supporting the submitted project proposal. |

**Applicant's Declaration on the State Aid Regime**

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| --- | --- | --- |
| **State Aid scheme** | **Check if valid (X)** | **Signature of the statutory representative** |
| The project does not constitute State Aid. |  |  |
| The project will be implemented under the "de minimis" regime. |  |  |
| The project will be implemented under the General Block Exemption Regulation[[1]](#footnote-1) . |  |  |

**Justification for the selected State Aid scheme:**

**The project does not constitute State Aid**

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| --- | --- |
| **Characteristics of State Aid** | **Relationship between the project and the characteristics of State Aid**  **Yes / No (if "No", give brief justification)** |
| 1. the aid is granted by the state or through public sources |  |
| 1. the aid favours certain undertakings or certain business sectors and is selective |  |
| 1. trade between Member States is affected |  |
| 1. competition is distorted or threatened |  |

The project does not constitute State Aid if at least one of the above-mentioned characteristics of State Aid can be excluded.

**Applicant´s statutory declaration that the above-mentioned particulars are true.**

|  |  |
| --- | --- |
| Date: |  |
| Signature of the statutory representative: |  |

**De minimis**

Declaration by the applicant that, as of the date of submitting the grant application, they have not exhausted the de minimis aid limit.

|  |  |
| --- | --- |
| Date: |  |
| Signature of the statutory representative: |  |

**In the case of the use of the "de minimis" aid, the applicant shall submit a completed form "Statutory declaration on the de minimis regime".**

**Block exemptions**

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| --- | --- |
| Block exemption type selected (specific article of the GBER Regulation) |  |
| Declaration by the applicant that the implemented project complies with the conditions for utilizing the selected category of block exemption and that the project does not include activities and expenses excluded from the scope of that block exemption category (Commission Regulation (EU) No 651/2014 of 17 June 2014 / updated text of Commission Regulation (EU) 2023/1315 of 23 June 2023 amending Regulation (EU) No 651/2014, which declares certain categories of support compatible with the internal market in accordance with Articles 107 and 108 of the Treaty on the Functioning of the European Union and Regulation (EU) 2022/2473 which declares certain categories of aid for undertakings active in the production, processing and marketing of fisheries and aquaculture products compatible with the internal market in accordance with Articles 107 and 108 of the Treaty. | Date:    Signature of the statutory representative: |
| In the case of using the GBER under Article 14 (Regional Investment Aid), the applicant declares that, during the two years preceding the grant application, they have not relocated to the facility where the initial investment, for which support is requested, will take place. They also commit not to do so for up to two years after the completion of the initial investment for which support is requested. | Date:    Signature of the statutory representative: |
| In the case of use of GBER under Article 14, 36b or 45, the applicant declares that, according to Annex 1 of the GBER Regulation[[2]](#footnote-2), they meet the criteria for inclusion in the category[[3]](#footnote-3):  - "small enterprise"  - 'medium-sized enterprise'  - 'large entrepreneur'  The relevant parameters are the number of employees, annual turnover and total annual balance sheet. | Date:    Signature of the statutory representative: |
| The applicant declares that it is not an enterprise in difficulty. When assessing the condition of being an "enterprise in difficulty," it is possible to refer to the information provided on the website, where this issue is detailed: <https://uohs.gov.cz/cs/verejna-podpora/podniky-v-obtizich.html>  In the case of the application of Commission Regulation (EU) No. 651/2014, the so-called General Block Exemption Regulation (GBER), which, with certain exceptions, does not allow the provision of State Aid to enterprises in difficulty, the aid provider will verify before providing the support whether the specific recipient is not an enterprise in difficulty and whether the support can be granted in accordance with the relevant legal provisions. | Date:    Signature of the statutory representative |
| Note: Commission Regulation (EU) No. 651/2014, the so-called General Block Exemption Regulation (GBER), applies only to aid that has an incentive effect. Aid is considered to have an incentive effect if the recipient has submitted a written application for support before the project or activity work has commenced. Additional conditions for the incentive effect are specified in Article 6 of the GBER. | |

**the applicant´s declaration on the de minimis aid[[4]](#footnote-4)**

**(ACCORDING TO REGULATION (EU) 2023/2831, 1408/2013 OR 717/2014)**

|  |  |
| --- | --- |
| **Business name / Name of applicant** |  |
| **Headquarters** |  |
| **ID number** |  |

1. The applicant declares its accounting period to be (not applicable to aid granted under Regulation (EU) 2023/2831)

**calendar year**.

**Economic year** (start ........................., end ........................).

If **there has been a change from calendar year to financial year or vice versa** during the **previous two accounting periods**, please indicate this by listing the accounting periods used *(e.g. 1 April 2022 - 31 March 2023; 1 April 2023 - 31 December 2023)*:

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1. Enterprises[[5]](#footnote-5) connected with the applicant for support

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| ***An applicant for support is considered to be connected[[6]](#footnote-6) with other enterprises if these entities have any of the following relationships:***  a) One entity owns more than 50% of the voting rights belonging to shareholders or partners in another entity.  b) One entity has the right to appoint or remove more than 50% of the members of the administrative, management, or supervisory body of another entity.  c) One entity has the right to exert more than 50% influence in another entity through a contract with that entity or according to provisions in the founding document or articles of association of that entity.  d) One entity, as a shareholder or partner in another entity, controls more than 50% of the voting rights belonging to shareholders or partners in that entity, in accordance with an agreement with other shareholders or partners of that entity.  *Entities that have any of the relationships described in points a) to d) with the applicant for support through one or more other entities are also considered to be connected with the applicant for support.* |

The applicant declares that, in the above-mentioned sense, they

**are not** connected with any other enterprise.

**are** connected to the following companies:

|  |  |  |
| --- | --- | --- |
| **Business name of the company** | **Headquarters** | **ID number** |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

1. The applicant declares that the enterprise (applicant), in the current and the two preceding accounting periods IN THE CASE OF AID UNDER REGULATION (EU) NO 1408/2013 OR NO 717/2014, OR IN THE PAST 36 MONTHS IN THE CASE OF AID UNDER REGULATION (EU) NO 2023/2831,

**has not been created** through a merger of enterprises or acquisition of an enterprise.

**was formed through the** merger[[7]](#footnote-7) of the following enterprises:

**Acquired** (through merger)[[8]](#footnote-8) **the assets of the** following enterprise(s):

|  |  |  |
| --- | --- | --- |
| **Business name of the company** | **Headquarters** | **ID number** |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

1. The applicant declares that the enterprise (applicant), in the current and the two preceding accounting periods IN THE CASE OF AID UNDER REGULATION (EU) NO 1408/2013 OR NO 717/2014, OR IN THE PAST 36 MONTHS IN THE CASE OF AID UNDER REGULATION (EU) NO 2023/2831,

**have not been created by the** division (splitting or demerger[[9]](#footnote-9) ) of an enterprise.

**was formed by the** demerger of the enterprise listed below:

|  |  |  |
| --- | --- | --- |
| **Business name of the company** | **Headquarters** | **ID number** |
|  |  |  |

and took over its activities to which the *de minimis* aid had previously been applied[[10]](#footnote-10) . The following (previously granted) aid has been allocated to the enterprise (applicant):

|  |  |  |
| --- | --- | --- |
| **Date of provision** | **Aid provider** | **Amount in CZK** |
|  |  |  |
|  |  |  |

1. The applicant below, by signing,

* confirms that the above information is accurate and true and is provided voluntarily;
* commits to promptly informing the grant provider of any changes to the aforementioned information that occur during the administrative process of granting de minimis aid.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Date and place of signature** |  | | | |
|  | | | | |
| **Name and signature of the person authorised to represent the applicant** |  |  | **Stamp** (if part of the applicant's signature) |  |

*The data contained in this declaration will be entered in the Central Register of de minimis Aid for the purpose of tracking such aid in accordance with Act No. 215/2004 Coll., on the Adjustment of Certain Relations in the Field of State Aid and on the Amendment of the Act on Support for Research and Development, as amended.*

1. Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in accordance with Articles 107 and 108 of the EC Treaty. [↑](#footnote-ref-1)
2. Annex 1 Definition of SMEs Commission Regulation (EU) No 651/2014 of 17 June 2014. [↑](#footnote-ref-2)
3. Delete where not applicable [↑](#footnote-ref-3)
4. For more information on the conditions for granting de minimis aid, please visit <https://uohs.gov.cz/cs/verejna-podpora/podpora-de-minimis-a-registr-de-minimis.html> and

   https://mze.gov.cz/public/portal/mze/dotace/verejna-podpora-a-de-minimis/legislativa/legislativa-eu [↑](#footnote-ref-4)
5. In public aid law, an 'undertaking' refers to any entity engaged in economic activity, meaning it offers goods and/or services on the market. This includes non-profit organizations, sports clubs, associations, and entities formally part of the public administration if they provide services or products on the market; they are thus considered undertakings for the purposes of state aid rules. An entrepreneur, as defined in Act No. 89/2012 Coll., the Civil Code, may also be considered an enterprise [↑](#footnote-ref-5)
6. Further information about linked enterprises can be found in the GUIDELINES (available for download at <https://www.uohs.cz/download/Sekce_VP/VP_update/Prirucka_k_pojmu_jeden_podnik_rev_01_06_-2024.pdf>) for the application of the concept of 'a single enterprise' from the perspective of de minimis aid rules.

   . [↑](#footnote-ref-6)
7. See § 62 of Act No. 125/2008 Coll., on Transformations of Commercial Companies and Cooperatives, as amended [↑](#footnote-ref-7)
8. See § 61 of Act No. 125/2008 Coll. [↑](#footnote-ref-8)
9. See § 243 of Act No. 125/2008 Coll. [↑](#footnote-ref-9)
10. If, on the basis of the activities taken over, it would not be possible to apportion the *de minimis* aid previously granted, the aid will be apportioned on the basis of the book value of the equity of the new undertakings at the date of the effect of the apportionment (see Article 3(9) of Regulations (EU) No 1408/2013, No 717/2014, No 2023/2831 and No 2023/2832). [↑](#footnote-ref-10)