

Form of information submitted when applying for de minimis aid other than in agriculture or fisheries, or de minimis aid in agriculture or fisheries

Filling instructions

Section A. Information on the entity to which State aid is to be granted

<p>A. Information on the entity to which state aid is to be granted¹⁾</p> <p>1) Tax ID (NIP) of the entity <input style="width: 100%; height: 20px;" type="text"/></p> <p>2) Name and surname or name of the entity <input style="width: 100%; height: 20px;" type="text"/></p> <p>3) The address of the place of residence or the address of the registered office of the entity <input style="width: 100%; height: 40px;" type="text"/></p>	<p>A1. Information on a partner in a civil partnership or a personal partnership applying for aid in connection with the activity conducted in this partnership²⁾</p> <p>1a) Partner's tax identification number (NIP) <input style="width: 100%; height: 20px;" type="text"/></p> <p>2a) Name and surname or name of the partn <input style="width: 100%; height: 20px;" type="text"/></p> <p>3a) Address of the place of residence or the registered office of the partner <input style="width: 100%; height: 40px;" type="text"/></p>
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Item 1 Enter your data as an entity that applies for aid, i.e. NIP (Tax identification number) or other registration number (for entities that do not have a NIP number). The identifier should be consistent with that provided in the applications for aid.

Items 2 and 3 The name and registered office of the entity should be in accordance with the registration documents in your country. If aid is requested by a partner of a civil, general or commercial partnership, or a general partner of a limited partnership or limited joint-stock partnership who is not a shareholder, in connection with the activities carried out in the partnership, the information regarding the partnership should be provided in item A of the form. In the case of a civil partnership, the Tax identification number (or other registration number of that partnership), the name under which the partnership operates in the market and the place of business, and if there is no name and place of business, the names and addresses of all partners in that partnership should be provided.

<p>4) Identifier of the commune in which the entity has its place of residence or seat⁴⁾ <input style="width: 100%; height: 20px;" type="text"/></p> <p>5) The legal form of the entity⁵⁾</p> <p><input type="checkbox"/> state-owned company</p> <p><input type="checkbox"/> a sole proprietorship of the State Treasury</p> <p><input type="checkbox"/> a sole proprietorship of a local government unit, within the meaning of the Act of 20 December 1996 on municipal economy (Journal of Laws of 2011, No. 45, item 236)</p> <p><input type="checkbox"/> a joint-stock company or a limited liability company in relation to which the State Treasury, a local government unit, a state enterprise or a sole proprietorship of the State Treasury are entities, which have powers such as dominant entrepreneurs within the meaning of the Act of February 16, 2007 on competition and consumer protection (Journal of Laws of 2015, item 184)</p> <p><input type="checkbox"/> a unit of the public finance sector within the meaning of the provisions of the Act of 27 August 2009 on Public Finance (Journal of Laws of 2013, item 885, as amended)</p> <p><input type="checkbox"/> other (please specify) <input style="width: 100%; height: 20px;" type="text"/></p>	
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Item 4 - to be completed only by Polish applicants - if you are foreign entity you can enter 0.

Item 5 - mark the correct item with an X. If you mark 'other', indicate - in the box below this answer - what legal form it is, e.g. civil partnership, association, foundation.

Applicants from outside Poland - in the case of legal form, indicate the form that is most similar to the legal forms in your country.

6) The size of the entity, according to Annex I to Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain types of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (Official Journal EU L 187 of 26/06/2014, p. 1), hereinafter referred to as "Commission Regulation (EU) No 651/2014" ⁵⁾

- microentrepreneur
 small entrepreneur
 medium entrepreneur
 other entrepreneur

Item 6 mark the correct item with an X. If you are not a SME, mark X as other enterprise.

The criteria for qualifying an enterprise as a micro, small or medium-sized enterprise (SME) are set out in Annex I to Commission Regulation (EU) No. 651/2014 of June 17, 2014 declaring certain types of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty.

When determining SME status, the explanations in the document issued by the European Commission will be helpful:

[User's guide to SME definition](#)

The concept of an enterprise and economic activity is explained in the Commission's Note on the concept of state aid as understood in Article 107(1) of the Treaty on the Functioning of the European Union (2016/C 262/01).

An entrepreneur within the meaning of state aid is any entity that performs economic activities regardless of its legal form and method of financing. Therefore, entrepreneurs can be both public and private entities, e.g. associations, foundations, a museum, a local government unit, organizations that conduct research and disseminate knowledge (e.g. a university, a research institute) to the extent that they carry out economic activities involving offering goods and services on the market.

7) Activity class, according to the regulation of the Council of Ministers of 24 December 2007 on the Polish Classification of Activities (PKD) (Journal of Laws No. 251, item 1885, as amended) 6)

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8) Date of creation of the entity

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Item 7 - enter the class of activity 3511 as it relates to the Capacity Market.

Item 8 - enter the start date of activity with reference to which you are applying for aid.

9) Relationships with other entrepreneurs

Are there any connections between the entity and other entrepreneurs consisting in:

- a) one entrepreneur having majority of voting rights in the other? yes no
- b) one entrepreneur has the right to appoint or dismiss a majority of the members of the management or supervisory body of another entrepreneur? yes no
- c) one entrepreneur has the right to exercise a dominant influence over another entrepreneur in accordance with the contract concluded with that entrepreneur or its constituent documents? yes no
- d) one entrepreneur who is a shareholder or partner of another entrepreneur or a member thereof, in accordance with an agreement with other stockholders, partners or members of that entrepreneur, independently controls the majority of voting rights in that entrepreneur? yes no
- e) the entrepreneur is in any of the relationships described in letters a-d through one other entrepreneur or several other entrepreneurs? yes no
- f) the entrepreneur is in any of the relationships described in letters a-d through a natural person or a group of natural persons acting jointly and conducts his activity or part of activity on the same relevant market or related markets⁷⁾? yes no

If you select at least one affirmative answer in letters a - f, please provide the tax identification number NIP of all entrepreneurs associated with the entity:

Item 9 - answer the questions in subsections 9a through 9f. If you check at least one answer in the affirmative, then provide the tax ID of the NIP or other registration number of all entrepreneurs related to you (you do not enter your data because they have already been given in item A). In case of affiliation with foreign enterprises, indicate the country-specific enterprise identifier. Along with the tax ID or other registration number, provide the name of the related entrepreneur.

NOTE: entities with a complex structure, which consist of many interrelated units with separate legal personality, must be treated as a single economic organism. All entities that are controlled (legally or de facto) by the same entity should be treated as one enterprise.

Section B. Information on the economic situation of the entity to be granted state aid

B. Information on the economic situation of the entity to which state aid is to be granted⁸⁾

1) Does the amount of uncovered losses exceed 50% of the registered capital in the case of a joint-stock company, a limited liability company and a limited joint-stock partnership⁹⁾? yes no
 not applicable

2) In the case of a general partnership, limited partnership, partnership and civil law partnership, does the amount of uncovered losses exceed 50% of its capital according to the company's books? yes no
 not applicable

3) Does the entity meet the criteria that qualify it to be included in bankruptcy proceedings? yes no

4) Has the entity received rescue aid and has not yet repaid the loan, or is it still party to the guarantee agreement, or has it received restructuring aid and is still implementing a restructuring plan? yes no

5) In the case of an entity other than a micro, small or medium-sized enterprise, in the past two years, has the debt to equity ratio been greater than 7.5 and the operating profit plus depreciation / interest ratio lower than 1? yes no
 not applicable

6) In relation to the period of the last 3 years preceding the date of applying for aid:¹⁰⁾

- a) the entity is recording increasing losses? yes no
- b) the entity's turnover is decreasing? yes no
- c) the entity's inventories or the unused potential for the provision of services are increased? yes no
- d) the entity has a surplus of production¹¹⁾? yes no
- e) cash flow decreases? yes no
- f) the sum of the debt of the entity increases? yes no
- g) amount of interest on the entity's liabilities increases? yes no
- h) the entity's net asset value decreases or is zero? yes no
- i) there were other circumstances indicating difficulties in terms of financial liquidity? yes no

If so, please indicate what they are:

7) Does any of the related entrepreneurs whose tax identifiers are indicated in part A point 9 of the Form meet at least one of the conditions set out in points 1-5? yes no
 not applicable

NOTE: Part B of the form shall not be completed in the case of entities to which aid is to be granted on the basis of Article 34a of the Act of May 8, 1997 on Warranties and Guarantees issued by the State Treasury and certain legal entities (JO of 2012, item 657, as amended).

Items 1-5 mark the answer “yes”, “no” or “not applicable”.

Items 1 and 2 mark “not applicable” if you are a micro, small or medium-sized enterprise referred to in Annex I of Commission Regulation (EU) No. 651/2014, and:

- you have been in business for less than 3 years from the date of the establishment of the business activity to the date of your application for aid, or
- you apply for aid under the terms of Article 21 of Commission Regulation (EU) No. 651/2014 within seven years from the date of the first commercial sale, which are eligible for risk financing investments following due diligence by the selected financial intermediary.

Item 1 the amount of uncovered losses exceeds 50% of the amount of registered capital, if after subtracting the value of accumulated losses from the sum of capitals of a reserve nature (such as supplementary capital, reserve and revaluation reserve) you get a negative result, the absolute value of which exceeds half of the value of registered capital, i.e. share capital.

Items 3 and 4 choose a “yes” or “no” answer. These questions apply to all entrepreneurs regardless of their legal form and start date of activity.

Item 5 select the answer “yes” or “no” if you are an enterprise other than SME.

NOTE: any answer in the affirmative in items 1-5 means that you are an enterprise in a difficult situation, in this situation you cannot receive the state aid you are applying for. Alternatively, you should apply for restructuring aid.

Item 6 do not complete. It is filled out only in the case of other forms of aid, such as loans, guarantees, deferrals, installments to determine the reference rate, that is, the borrowing capacity of the entrepreneur (the value of the reference rate is equal to state aid. If the answer is affirmative then help can be provided).

Item 7 mark the answer “yes” or “no” if you have shown related parties in Item 9 in Section A. You assess the economic situation of related parties based on the premises specified in items 1 through 5 in Section B. If you did not show related party relationships in item 9 in Section A because you answered “no” to all questions, then select “not applicable” in item 7 in Section B.

SECTION C. Information on the decision of the European Commission imposing an obligation to return the state aid granted

C. Information on the decision of the European Commission imposing the obligation to return the granted state aid

Does the entity to which state aid is to be granted or any entrepreneurs associated with it, whose tax identifier is indicated in part A point 9 of the Form, have the obligation to return the aid granted, resulting from the decision of the European Commission ordering the return?

yes

no

Mark the correct item with an X. The obligation to repay the granted aid, which results from the decision of the European Commission, may apply to you as an entrepreneur who applies for funding, as well as to any related enterprise. As long as the aid, resulting from the European Commission's decision, has not been repaid, you cannot receive new state aid.

SECTION D. Information on economic activity conducted by the entity to be granted state aid

D. Information on economic activity conducted by the entity to which state aid is to be granted

1. Does the entity to which the aid is to be granted undertake the following activity:

a) in the fisheries and aquaculture sector ¹²⁾ ?	<input type="checkbox"/> yes	<input type="checkbox"/> no
b) primary production of agricultural products listed in Annex I to the Treaty on the Functioning of the European Union?	<input type="checkbox"/> yes	<input type="checkbox"/> no
c) processing and marketing of agricultural products listed in Annex I to the Treaty on the Functioning of the European Union?	<input type="checkbox"/> yes	<input type="checkbox"/> no
d) in the steel and iron industry ¹³⁾ ?	<input type="checkbox"/> yes	<input type="checkbox"/> no
e) in the shipbuilding industry ¹⁴⁾ ?	<input type="checkbox"/> yes	<input type="checkbox"/> no
f) in the synthetic fibers industry ¹⁵⁾ ?	<input type="checkbox"/> yes	<input type="checkbox"/> no
g) in the transport industry ¹⁶⁾ or related infrastructure?	<input type="checkbox"/> yes	<input type="checkbox"/> no
h) in the energy generation, distribution and energy infrastructure industries ¹⁷⁾ ?	<input type="checkbox"/> yes	<input type="checkbox"/> no
i) in the coal industry ¹⁸⁾ ?	<input type="checkbox"/> yes	<input type="checkbox"/> no
j) in the financial industry ¹⁹⁾ ?	<input type="checkbox"/> yes	<input type="checkbox"/> no

2. Will the requested aid be allocated to the activities specified in point 1 a-j? yes no

3. If the answer is affirmative in point 1 a, b or d-j, is the accounting separation ensured²⁰⁾ preventing the transfer of the benefits resulting from the aid obtained to the activity indicated in these points (how)? yes no not applicable

4. Information on the planned project²¹⁾ for the implementation of which the entity is applying for aid

a) description of the project, including planned start and end dates

b) location of the project

c) list of project costs and their nominal and discounted values

5. In the case of applying for regional investment aid granted under the conditions specified in the Guidelines on regional aid for 2014-2020 (Journal of Laws EU C 209 of 23.07.2013, p. 1) or Commission Regulation (EU) No 651/2014, whether the entity applying for aid has closed down the same or similar activity²²⁾ as indicated in point 4 (a) in the territory of a state that is a party to the Agreement on the European Economic Area in the period of two years preceding the submission of the application for aid or is it planning to close such activity within two years from the completion of the project for which the aid is being applied for? yes no

Items 1a to 1j, 2 - listed sectors for which aid is excluded or the limit is different from Regulation 651/2014. Depending on the purpose of the aid and the nature of the entrepreneur's activities, the exemption may or

may not apply. An affirmative answer does not preclude the granting of aid. Comparisons are made between the exclusion data and the actual conditions of the aid that is provided.

Item 3 If the activity is carried out in the excluded sector but accounting separation is maintained, the aid can be granted. **Accounting separation** of a specific business activity involves keeping separate records for that business activity and properly allocating revenues and expenses on the basis of consistently applied and objectively justifiable methods. Accounting separation is defined in the relevant country's accounting regulations.

NOTE! Item 4 and 5 does not apply to cross-border capacity market units.

SECTION E. Information on the aid received

E. Information on the aid received	
1. Will the requested aid be allocated to the project for which the entity received other aid?	<input type="checkbox"/> yes <input type="checkbox"/> no
2. Will the requested aid be used to cover identifiable costs?	<input type="checkbox"/> yes <input type="checkbox"/> no
3. If yes in point 2, has the entity received any other aid to cover the same costs referred to in point 2?	<input type="checkbox"/> yes <input type="checkbox"/> no
4. In the case of applying for rescue, restructuring or temporary restructuring aid, was this type of aid granted or the aided restructuring period ended or the implementation of the aided restructuring plan suspended in the 10 years preceding the date of submission of the aid application?	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> not applicable

Item 1 - indicate a 'yes' answer if you have received aid from other sources for the cost of the project for which you are submitting this form. However, if you have not received aid from other sources for your project activities then indicate the answer 'no'.

Item2 - indicate the answer 'yes', because the aid will be allocated to identified costs, i.e. costs incurred under the project, even if they are incurred under simplified costs.

Item 3 - indicate the answer 'yes' if you have received other aid for the same costs, such as in the form of a national grant or, for example, aid in the form of relief or installment in an investment that was initiated before the project.

Item 4 - to be filled out only by Polish applicants - indicate the answer 'not applicable'. This item does not apply to the aid for which you are completing the form.

NOTE! Information in section from 5E to 6E are not obliged, may be left unfilled.

SECTION F. Information about the person authorized to provide information

F. Information on the person authorized to submit the information	
First name and last name	Phone number
<input type="text"/>	<input type="text"/>
Job title	Date and signature
<input type="text"/>	<input type="text"/>

In Section F you indicate the data of the person authorized to provide information:

- Full name:
- Official position:
- Phone number:
- Date and signature.