


VEH 071 DE MINIMIS STATE AID DECLARATION 2024	Transport Malta Land Transport Directorate Telephone: 80072393/25560000 Email: info.tm@transport.gov.mt Website: www.transport.gov.mt	 Transport Malta
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Use Of This Form

This form shall be submitted by:

- undertakings established in Malta; or
- voluntary organisations that carry out an economic activity within the meaning of Article 107 TFEU;

when submitting applications to Transport Malta for financial incentives offered in accordance with any of the *de minimis* State Aid Regulations listed hereunder.

The submission of this form does not guarantee eligibility to the grant being applied for. Such eligibility shall be subject to the conditions stipulated in the Scheme document of the respective grant.

Definitions

For the purpose of this form, the terms:

- ‘single undertaking’ includes all enterprises having at least one of the following relationships with each other:
 - a) one enterprise has a majority of the shareholders’ or members’ voting rights in another enterprise;
 - b) one enterprise has the right to appoint or remove a majority of the members of the administrative, management or supervisory body of another enterprise;
 - c) one enterprise has the right to exercise a dominant influence over another enterprise pursuant to a contract entered with that enterprise or pursuant to a provision in its memorandum or articles of association;
 - d) 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 in points (a) to (d) above through one or more other enterprises shall also be considered to be a single undertaking.

- ‘undertaking established in Malta’ means a commercial entity established in Malta, including a self-employed person in accordance with National Law, a foundation or a cooperative society.
- ‘voluntary organisation’ has the same meaning given to it in the Voluntary Organisations Act (CAP 492 of the Laws of Malta).

De minimis State Aid

The following is an indicative list of possible forms of State aid:

- Grants from public bodies;
- Loans or loan guarantees at favourable rates;
- Tax benefits, waiving or deferral of fees or interest normally due;
- Marketing and advertising assistance;
- Consultancy, training, and other support provided either for free or at a reduced rate;
- Aid for investment in environmental projects or research and development assistance; and
- Purchase, rent, or lease of immovable property at less than market rate.

Potentially, any assistance from a public entity may constitute State Aid.

To clarify whether any public assistance received is *de minimis* aid, kindly contact the agency or department from which the assistance was received.

Applicable Regulations

If the submitted application is approved, the applicant will benefit from de minimis State Aid in line with one of the applicable Regulations outlined below, depending on the applicant's sector of operation, and the respective thresholds established therein:

Sector	Regulation	Total amount of de minimis aid per single undertaking
Agriculture	<i>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 (OJ L 352/9, 24.12.2013), as amended by Commission Regulation (EU) 2019/316 of 21 February 2019 amending Regulation (EU) No 1408/2013 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 (OJ L 511, 22.2.2019) and by Commission Regulation (EU) No 2023/2391 of 4 October 2023 amending Regulations (EU) No 717/2014, (EU) No 1407/2013, (EU) No 1408/2013 and (EU) No 360/2012 as regards de minimis aid for the processing and marketing of fishery and aquaculture products, and Regulation (EU) No 717/2014 as regards the total amount of de minimis aid granted to a single undertaking, its period of application and other matters (OJ L, 2023/2391, 05.10.2023)</i>	Not exceeding €20,000 over any period of three fiscal years.
Fisheries and Aquaculture	<i>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 (OJ L 190/45, 28.6.2014), as amended by Commission Regulation (EU) 2020/2008 of 8 December 2020 amending Regulations (EU) No 702/2014, (EU) No 717/2014 and (EU) No 1388/2014, as regards their period of application and other relevant adjustments (OJ L 414/15, 9.12.2020), by Commission Regulation (EU) 2022/2514 of 14 December 2022 amending Regulation (EU) No 717/2014 as regards its period of application (OJ L 326, 21.12.2022) and by Commission Regulation (EU) No 2023/2391 of 4 October 2023 amending Regulations (EU) No 717/2014, (EU) No 1407/2013, (EU) No 1408/2013 and (EU) No 360/2012 as regards de minimis aid for the processing and marketing of fishery and aquaculture products, and Regulation (EU) No 717/2014 as regards the total amount of de minimis aid granted to a single undertaking, its period of application and other matters (OJ L, 2023/2391, 05.10.2023)</i>	Not exceeding €30,000 over any period of three fiscal years.
All other Sectors	<i>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 (OJ L, 2023/2831, 15.12.2023)</i>	Not exceeding €300,000 over any period of three years.

This maximum threshold would include all State aid granted under this aid scheme and any other State aid measure implemented in line with the de minimis rule including that received from any Maltese entity other than Transport Malta over a period of three years as applicable. Any de minimis aid received in excess of the established applicable threshold will have to be recovered, with interest, from the undertaking receiving the aid.

SECTION A – Details of the Undertaking Submitting the Grant Application

Name of Undertaking:			
Registration No.: (Does not apply for sole-traders)		VAT number:	
Address:			
Phone number 1:		Phone number 2:	
Email Address:			

SECTION B – Undertakings Forming Part of the Single Undertaking (Does not apply for sole traders)

List below the registration number (e.g. C001, P001, etc....) and name of the undertakings forming part of the same single undertaking as the undertaking submitting the grant application.

Registration No.	Name	Registration No.	Name

If there are more companies within the single undertaking, kindly add their details overleaf or attach a supporting document to this form. Any such additional list must be initialised by applicant and warranted accountant or auditor.

SECTION C – De minimis aid received by the Single Undertaking

State Aid for the single undertaking that has been approved but has not been paid out yet should be included in the column for the current year.

Source/Grantor	Description of Aid	Date of Approval	Amount in €			
			2021	2022	2023	2024
			€	€	€	€
			€	€	€	€
			€	€	€	€
			€	€	€	€
			€	€	€	€
			€	€	€	€
			€	€	€	€
			€	€	€	€
			€	€	€	€
			€	€	€	€
			€	€	€	€
TOTAL			€	€	€	€

SECTION D – Declaration by the Authorised Representative of the Applicant Undertaking

I hereby declare that the information given, and statements made in this application, are true and correct. I understand that giving false or incomplete or misleading information in connection with this application is a serious offence and may be treated as a fraudulent claim.

Where a fraudulent claim arises, Transport Malta may institute criminal proceedings against those responsible. In the event of an incorrect payment of a claim, Transport Malta reserves the right to recover funds paid in error.

Name and Surname of Representative:	
Identity card number:	
Signature:	
Date of Declaration	

SECTION E – Declaration by Warranted Accountant or Auditor

I, whose details are reported below, hereby declare that I am fully cognisant of the requirements set out in the applicable *de minimis* Regulation concerning the following:

- Definition of single undertaking as per Article 2(2) of applicable *de minimis* Regulation, reported also in page 1 of this form;
- Thresholds, stipulated in Article 3 of the applicable *de minimis* Regulation, reported also in page 2 of this form, applicable to each undertaking that applies for *de minimis* aid and how this shall be calculated, taking in consideration all undertakings that fall within the single undertaking comprising the applicant undertaking, through the period of 3 rolling years.

I confirm that I have carried out an analysis of all relevant documentation and any other applicable information, the applicant undertaking, and the undertakings listed in Section B of this form have one or more of the relationships referred to in the definition of Single Undertaking and, therefore, all form part of the same single undertaking.

I further confirm that there is no other undertaking that has a relationship with the applicant undertaking or with any other undertaking listed in Section B of this form which would cause it to be included within the single undertaking.

I declare that I have reviewed the accounts and any other relevant documentation and information concerning the applicant undertaking and all undertakings listed in Section B of this form, and confirm that the list of *de minimis* aid listed in Section C of this form is an exhaustive and correct list of the *de minimis* aid received by the single undertaking in the years specified in Section C.

Finally, I hereby declare that the statements made, and information given in this declaration, are true and correct. I understand that giving false or misleading information in connection with this declaration is a serious offence and may be treated as a fraudulent claim and may even lead to the revocation of my warrant.

Name and Surname of warranted accountant or auditor			
Identity card number		Warrant No:	
Signature			
Stamp (Optional)			
Date of Declaration			

Data Protection Privacy Notice

The Authority for Transport in Malta (Transport Malta) of Triq Pantar, Lija, Malta, LJA 2021 is the Data Controller for the purpose of the Data Protection Act CAP 586 and the General Data Protection Regulation (EU) (GDPR) 2016/679. This Privacy Notice sets out the way in which we collect and process your Personal Information, as well as the steps we take to protect such information.

1. The information we collect and how we use it

- 1.1. From this Application Transport Malta collects different types of information which information is that required by Law and is used explicitly for your applications. It is to be noted that if the required information is not provided the said application could not be processed.
- 1.2. The primary purpose for collecting information is mainly to process the applications related to granting of financial incentives, however, your Personal information may also be used for related purposes that amongst other include: sending notifications, requesting additional information, and for the provision of information with regards to any legislative amendments which may affect the services offered to you.

2. To whom we disclose information

- 2.1. This information will be solely used for the reasons detailed above. However, there may be cases where personal information is shared with the following third parties for reasons listed below;
 - Any other government entities involved in the provision of financial incentives;
 - Any third party concerned with this provision, management and control of such financial incentives, including auditors reviewing the internal process of the Authority or any other government department, entity, body or agency involved in the provision, management or control of financial incentives.

3. Data Subject Rights

- 3.1. With respect to your privacy rights, Transport Malta is obliged to provide you with reasonable access to the Personal Data that you have provided to us. Your other principal rights under data protection law are:
 - a. the right for information;
 - b. the right to access;
 - c. the right to rectification;
 - d. the right to erasure;
 - e. the right to restrict processing;
 - f. the right to object to processing;
 - g. the right to data portability;
 - h. the right to complain to a supervisory authority; and
 - i. the right to withdraw consent.

- 3.2. If you wish to access or amend any Personal Data we hold about you, or to request that we delete any information about you, you may contact us by sending a request to dataprotection.tm@transport.gov.mt. We will acknowledge your request within seventy-two (72) hours and will do our utmost to handle it promptly. We will respond to these requests within a month, with a possibility to extend this period for particularly complex requests in accordance with Applicable Law.

- 3.3. At any time, you may object to the processing of your Personal Data, on legitimate grounds, except if otherwise permitted by applicable law.

- 3.4. In accordance with Applicable Law, we reserve the right to withhold personal data if disclosing it would adversely affect the rights and freedoms of others. Moreover, we reserve the right to charge a fee for complying with such requests if they are deemed manifestly unfounded or excessive.

4. Retention period

- 4.1. Personal data will be retained for not more than 12 months from date of application should the application not be submitted complete or is rejected.
- 4.2. Once the grant is issued, we will retain your information for as long as needed to provide you with our service, or to comply with our legal obligations, resolve disputes and enforce our agreements.

5. Security

- 5.1. We take appropriate security measures to protect against loss, misuse and unauthorized access, alteration, disclosure, or destruction of your information. Additionally, steps will also be taken to ensure the ongoing confidentiality, integrity, availability, and resilience of systems and services processing personal information, and will restore the availability and access to information in a timely manner in the event of a physical or technical incident. All information gathered is kept confidential and is used solely for the processing of applications for financial incentives.
- 5.2. If we learn of a security systems breach, we will inform you of the occurrence of the breach in accordance with applicable law.

6. Governing Law

All data collected in this form is processed in accordance with the Privacy Laws that include General Data Protection Regulation (Regulation 2016/679/EU) and Chapter 586 of the Laws of Malta (Data Protection Act).

7. Data Protection Officer

- 7.1. Transport Malta has a Data Protection Officer ("DPO") who is responsible for matters relating to privacy and data protection. The DPO can be reached at the above address or by email: dataprotection.tm@transport.gov.mt

8. Contacting us

- 8.1. Please address any questions, comments and requests regarding the application process to info.tm@transport.gov.mt