Declaration where State Aid is not applicable for Public Entities whose activity does not constitute an economic activity within the meaning of Article 107 TFEU (Excluding Public Research and Knowledge Dissemination Organisations)

*[To be completed by each public entity where state aid is not applicable* ***and whose activity does not constitute an economic activity as per article 107 of TFEU*** *(excluding public research and knowledge dissemination organisations)]*

Name of Entity:

The Choose an item. , declares the following:

State Aid within the meaning of Article 107 TFEU is not applicable to the Applicant and/or the type of research being undertaken is claimed by the Applicant not to constitute an economic activity within the meaning of Article 107 of the Treaty on the Functioning of the European Union. Where applicable, applicants need to ensure adherence to Section 2.2 “Indirect State aid to undertakings through public funded research and knowledge dissemination organisations and research infrastructures” of the Commission Framework for State aid for research and development and innovation (2022/C 414/01).

The Applicant intends to:

a) publicise widely the results of the research;

b) license on non-discriminatory terms any Intellectual Property Rights (IPRs) resulting from the research at the market price for the said IPR;

c) any income from the licensing of IPR shall be reinvested in the primary educational and research activities of the Beneficiary;

d) ensure that no funds provided by this Agreement cross-subsidises any economic activities that may be carried out by the Beneficiary, other partners in the project, or third parties.

The Applicant understands that, should it be found to be in breach of the conditions for being exempt from State Aid regulations, the Agency will enforce the retrieval of funds with interest, in part or in full, as the case may necessitate.

The Beneficiary undertakes to comply faithfully and immediately with any decision of the European Commission or a Maltese judicial authority declaring Article 107(1) TFEU to be applicable to this Agreement.

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| --- | --- |
| Name of Legal Representative | Click or tap here to enter text. |
| Signature of Legal Representative |  |
| Date | Click here to enter a date. |

**Declarations On Indirect State Aid**

This declaration concerns indirect state aid that may be transferred from a public entity in the course of collaboration on a Xjenza Malta-funded research project, to one or more undertaking/s, being partnered within the said project. The public entities are to complete the below, jointly with the undertakings, to state any indirect state aid that is transferrable from the former to the latter during the planned research.

If indirect state aid is not applicable, please write NA in each entry and sign the declaration.

|  |  |  |
| --- | --- | --- |
| **Lead Partner (Public Academic/Government Entity)**  Click or tap here to enter text. | Insert Undertaking name  **Value in €** | Insert Undertaking name  **Value in €** |
| Personnel  Click or tap here to enter text. |  |  |
| Equipment  Click or tap here to enter text. |  |  |
| Subcontracting  Click or tap here to enter text. |  |  |
| Travel  Click or tap here to enter text. |  |  |
| Other  Click or tap here to enter text. |  |  |
| ***Total*** | **\*** | **\*** |

\*Total indirect state aid is to be reported in future de minimis declarations by the undertaking.

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| --- | --- |
| Name of Legal Representative (Public Entity) | Click or tap here to enter text. |
| Signature of Legal Representative (Public Entity) |  |
| Date | Click here to enter a date. |

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| Name of Legal Representative (1st Undertaking) | Click or tap here to enter text. |
| Signature of Legal Representative (1st Undertaking) |  |
| Date | Click here to enter a date. |

|  |  |
| --- | --- |
| Name of Legal Representative (2nd Undertaking, if applicable) | Click or tap here to enter text. |
| Signature of Legal Representative (2nd Undertaking, if applicable) |  |
| Date | Click here to enter a date. |