Declaration on honour
on R&D&I aid

|  |  |
| --- | --- |
| [ ]  Applicant or[ ]  proposed sub-grantee | Enter (Company) name applicant or proposed sub-grantee *Text boxes with the same label are filled with the text entered here when printing the document.* |
| Legal form | Enter text |
| Registration number and register (if applicable) | Enter text |
| Address | Enter text |
| Authorised signatory/signatories | Enter name of authorised signatoryIf applicable: Enter name co-signatory*Text boxes with the same label are filled with the text entered here when printing the document.* |
| Project name | Enter text |

# Explanatory note

The distinction between the activities is made in accordance with the [Framework for State aid for research and development and innovation 2022](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52022XC1028(03)) (R&D&I Framework), published in the Official Journal of the EU, C 414/01 of 28 October 2022.

[intentionally left blank]

Definitions and provisions of the R&D&I Union Framework (extract, in abridged form):

|  |  |
| --- | --- |
| Research organization | an entity, whose primary goal is to independently conduct fundamental research, industrial research or experimental development or to widely disseminate the results of such activities by way of teaching, publication or knowledge transfer. Where such entity also pursues economic activities, the financing, the costs and the revenues of those economic activities must be accounted for separately. Undertakings that can exert a decisive influence upon such an entity may not enjoy a preferential access to the results generated by it |
| Economic activities | Offering products or services to a specific market, such as R&D services, contract research, renting equipment or laboratories |
| Non-economic activities | a) Primary activities of research institutions, in particular: (i) the training of more or better qualified human resources. In line with EU case-law, public education organised within the national education system and financed and supervised mainly or entirely by the State is considered a non-economic activity;(ii) independent R&D for more knowledge and better understanding;The provision of R&D services, as well as R&D performed on behalf of enterprises, is not considered independent R&D;(iii) wide dissemination of research results on a non-exclusive and non-discriminatory basis, for example through teaching, open-access databases, open publications or open software;b) Knowledge transfer activities, insofar as they are conducted by the research institution or jointly with other research institutions or on their behalf, provided that all profits from these activities are reinvested in the primary activities (see above) of the research institution. The non-economic character of these activities is not prejudiced by contracting the provision of corresponding services to third parties by way of open tenders |
| Separate accounts | Where the same entity carries out both economic and non-economic activities, the two kinds of activities and their costs, funding and revenues must be clearly separated, so that cross-subsidisation of the economic activity is effectively avoided. Evidence of due allocation of costs, funding and revenues can consist of annual financial statements of the relevant entity |

If the research organisation is used almost exclusively for a non-economic activity, its funding may fall outside the scope of State aid law altogether, provided that (i) the economic use remains purely ancillary and directly related to and necessary for the operation of the research organisation or is intrinsically linked to its main non-economic use, and (ii) it is limited in scope. For the purposes of the R&D&I Framework, the Commission considers this to be the case where the economic activities use the same inputs (such as materials, equipment, personnel and fixed capital) as the non-economic activities and **where the annual capacity allocated to the economic activity in question does not exceed 20 % of the total annual capacity of the entity concerned**.

# Declarations

*Mark as applicable*

I/We herewith confirm that

Enter (Company) name applicant or proposed sub-grantee

|  |  |
| --- | --- |
| ☐ | is a research organisation whose primary activity is to conduct independent research and development or to disseminate the results of such activities through teaching, publication or knowledge transfer. Undertakings or economic operators that can exert decisive influence on the organisation, for example as shareholders or members, do not enjoy preferential access to the results generated by it |
| ☐ | is a research organisation that does not carry out economic activities |
| ☐ | is a research organization that carries out economic activities as a purely ancillary activity, the scope of which does not exceed 20 % of the entity's overall annual capacity |
| ☐ | keeps separate accounts of economic and non-economic activities so that the capacities provided and, respectively, their costs, funding and revenues can be clearly separated from each other |
| ☐ | attaches appropriate evidence of the nature and extent of its economic/non-economic activities to this declaration |

<Space for comments>

I am/We are authorised to sign and declare that the information I/we have provided for the above-mentioned institution is true and correct.

I/We undertake to notify ADA immediately of any changes to the above information as soon as I/we become aware of them.

|  |
| --- |
| Enter place on Enter date*Signature(s)* |
| Enter name of authorised signatory | If applicable: Enter name co-signatory |