

Guidance notes for declaration

Center
Global Cooperation

Date
26 March 2025

Granting under the Energy Export Initiatives Grants Program (hereafter *EEIG*), is de minimis granting under the 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 (hereafter “de minimis regulation”).

This means that when an applicant for grants under the EEIG, you must abide by the terms following the de minimis regulation to be qualified for granting.

For grants under the de minimis regulation it is, a condition that the total de minimis funding for a single company does not surpass €300,000 over any period of 3 years (please see the paragraph on *grant limit* below). It is also a condition that the applicant has not received other government grants for costs eligible for the same government granting, if this entails that the combined government granting limit is surpassed (please see paragraph on *the possibility of combining with other government granting* below).

You must therefore, when applying for grants under the EEIG, fill in and return the enclosed de minimis declaration along with your application. In the declaration, you must fill in whether the company/organisation has been granted other de minimis aid in this and the two previous financial years, as well as, if relevant, how much de minimis aid the company/organisation was granted and under which the de minimis decree this was granted. Furthermore, you must declare whether the company/organisation has received other government grants for costs eligible for the same government granting as in the EEIG, which is not de minimis aid. Is this the case, you must specify the granting and the amount.

The applicant must confirm the correctness of the information in the declaration by signature of the/those person(s) who can sign for the company.

Grant limit

As described above, it is a condition that the total amount of de minimis aid for a single company does not surpass €300,000 over any period of 3 years.

This means that you are allowed to have been granted other de minimis aid over any period of 3 years, as long as the grant limit is not surpassed. If your application for granting from the EEIG has as a consequence that the €300,000 de minimis grant limit is surpassed, the Danish Energy Agency cannot undertake to grant funding. This is true even if part of the amount could be contained within the €300,000 granting limit.

It is solely de minimis aid granted over a period of 3 years that must be stated in the declaration. De minimis aid is considered granted at the time when the recipient has obtained the right to receive funding, i.e. the date on which a decision to undertake to fund granting is reached, and not the date on which the aid is paid. The declaration thus concerns granted aid and not applied for under the EEIG.

When stating granted de minimis aid over any period of 3 years, you must also state the extent of aid granted to other companies if such have been received. This is the case if the company/organisation along with one or multiple other companies is considered as *one single* company as defined in Article 2(2) of the De minimis regulation.

Applicants must therefore consider whether, between the company/organisation and one or multiple other companies, there exist one of the connections stated in Article 2(2) of the De minimis regulation. Such a connection between the company/organisation and another company could be that the one company holds the majority of the voting rights, which are assigned to the shareholders or participants in the other company, cf. Article 2(2a) of the De minimis regulation.

If there, between the company/organisation and one or multiple other companies, exists one of the connections mentioned in the de minimis regulation in Article 2(2) of the De minimis regulation, the companies are considered to be one company, for which reason the de minimis aid granted to all these companies must be stated in the declaration.

If the company/organisation over any period of 3 years have been part of mergers, company takeovers, or demergers in two or multiple independent companies, de minimis aid granted these companies must also be specified in the declaration, cf. Article 2(2) and Article 3(8-9) of the De minimis regulation.

The possibility of combining with other government grants

As mentioned above, it is also a condition that the applicant has not received other government grants for the same grant-eligible costs, which imply that the granting intensity or grant limit applying to the other granting scheme is surpassed.

This means that a company/organisation as a rule is allowed to be granted other government granting. The company/organisation must not, however, be granted de minimis aid under the EEIG simultaneously with other government granting for the same grant-eligible costs, if the granting of the de minimis aid under the granting program entails that the granting intensity or the grant limit applying to the other granting scheme, within which the applicant has received aid, is surpassed.

You must therefore in the declaration specify whether the company/organisation has received other government granting for the same grant-eligible costs, subject to the application under the EEIG. Is this the case, you must also specify what kind of granting the company/organisation has received, as well as the amount granted.

Declaration

(TO BE FILLED IN BY THE PERSON(S) WHO SIGN(S) FOR THE COMPANY, OR BY THE AGENT)

Granting under the Energy Export Initiatives Grants Program (hereafter *the EEIG*), is de minimis granting under the 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 (hereafter “de minimis regulation”).

Information on the company/organisation

Name: _____

Address _____

CVR.no.: _____

Declaration on de minimis aid granted in this and the previous two financial years

- ☐ The company/organisation ⁽¹⁾ has not, over any period of 3 years, been granted de minimis aid under the 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 ⁽²⁾ and de minimis aid under other de minimis regulations ⁽³⁾.
- ☐ The company/organisation ⁽⁴⁾ has over any period of 3 years been granted the following de minimis aid under the 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 ⁽⁵⁾ and de minimis aid under other de minimis regulations ⁽⁶⁾:

Date of granting of de minimis aid ⁽⁷⁾

Amount: _____

Under scheme: _____

Administered by: _____

¹ By the company/organisation is considered the unit(s) that collectively form(s) *one single company* as defined in Article 2(2) of the De minimis regulation.

² As published in the Official Journal of the European Union L of December 15 2023, page 1.

³ For example the Commission Regulation (EU) No. 360/2012 of 25 April 2012 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid granted to companies that perform services of general economic interest. The Official Journal of the European Union 2012, L114, page 8, with the latest revisions.

⁴ By the company/organisation is considered the unit(s) that collectively form(s) *one single company* as defined in Article 2(2) of the De minimis regulation.

⁵ As published in the Official Journal of the European Union L of December 15 2023, page 1.

⁶ For example the Commission Regulation (EU) No. 1407 EU 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 granted to companies that perform services of general economic interest. The Official Journal of the European Union 2013, L352, page 1.

⁷ Cf in Article 3(3) of the De minimis regulation.

Declaration on other government grants for the same eligible costs

Has the Recipient received other government grants for the same eligible costs, as those subject to this application?

- ☐ No
☐ Yes

If yes, please state what kind of support, including the size of the grant:

It is obligatory to give notice to the Danish Energy Agency of changes in the above mentioned information until the point of approval, i.e. changes in the matters/information, the Danish Energy Agency has used in reaching an approval, for example if the company/organization is granted other de minimis aid from the point of signing the statement of truth and until the approval for granting.

The notification of the Danish Energy Agency must happen immediately, as soon as the change concerned supervenes, or from the point of time when the change is known, or from the point of time when the change is known to supervene.

The declaration is surrendered by the/those who sign(s) for the company, or by the agent:

Name of the signer (BLOCK CAPITALS): _____

Date and signature: _____