# Certify (Tax Credits) 2018 - 2020

# Claim Form

**Deadline: 30th November 2020**

**This form is to be used in cases where the certifications, quality marks or licences have been pre-approved by the Corporation and included in the list of pre-approved certifications that may be found on the Corporation’s website**





**For Office Use Only**

Reference Number

Date Received by the Corporation

Complete Application

**Notes to Applicants**

* This form is to be used by eligible undertakings that wish to benefit from the Certify Scheme.
* An Undertaking claiming a tax credit for the attainment of a qualifying certification, is to submit to the Corporation the following documentation **within three (3) months from the attainment of the Certification and by not later than 30th November 2020.**
* In view that VAT is an ineligible cost, any value entered should exclude VAT.
* All monetary values should be presented in Euro. When quotations are in foreign currencies kindly [click here](http://www.ecb.europa.eu/stats/exchange/eurofxref/html/index.en.html) to refer to the daily exchange rate to Euro. The exchange rate used should be quoted on the relevant documentation.
* This Form and any attached documents will be treated as confidential throughout and after the project evaluation process.
* All replies must be clearly explained and substantiated.
* Only electronically filled in application forms will be accepted. Should the application be hand-written or should the format of the application form be altered, the application form will not be evaluated.
* Further information, as well as information and guidance on the filling in of this application form may be obtained by contacting Malta Enterprise during office hours or by calling 144 or via email on info@businessfirst.com.mt

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| 1. Applicant Details |
| Macintosh HD:Users:nigelanastasi:Desktop:dots-01.png |
| 1.1 Name of Applicant: |
| This section should specify the legal name of the enterprise as defined in the Memorandum of Articles. In the case of Partnerships and Co-operatives the name outlined in the deed of partnership should be used in this section. In the case of Sole Traders, the name of the sole trader shall be inserted. |       |
| 1.2 Address of Applicant: |
| This section should specify the address of the Applicant. The address inserted here will be used to address any mail correspondence to the Applicant. |       |
| 1.3 Applicant’s Telephone Number/s: |
| The Applicant’s general telephone number/s. |  |
| 1.4 Applicant’s e-mail: |
| The Applicant’s general e-mail address. |  |
| 1.5 Website (URL): |
| The Applicant’s website address. |  |
| 1.6 VAT Number: |
| The Applicant’s VAT Number, as per VAT Certificate, relating to the activities funded under the proposed project. |  |

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| 1.7 Legal Form of Undertaking: |
| The legal form of the Applicant may be, self employed, co-operative, registered company, or partnership.  | Choose an item. |

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| 1.8 Registration / Identification Number: |
| The registration number is the official registration number of the co-operative, company or partnership as defined in the Companies Act – Chapter 387 of the Laws of Malta.  |  |
| 1.9 Date Established:: |
| This is the date, the enterprise was first established. Where applicable this will be the date of registration as defined in the Companies Act – Chapter 387 of the Laws of Malta. | Click here to enter a date. |
| 1.10 Please provide an outline of the Applicant’s core business activities: |
| The Applicant is required to provide a background description of the enterprise and its operations. The information should highlight the Applicant’s main line of business. The Applicant should show its main markets, clearly describing key products and/or services provided in these markets and its relative market share in these markets. |
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# **2. Details of Approved Certification, Quality Mark or Licence**

**This section is to be completed in cases where the certifications, quality marks or licences have been pre-approved by the Corporation and uploaded onto the Corporation’s website.**

**The level of funding is based on the amounts outlined in Section 3.3 of the Incentive Guidelines.**

**2.1 Name of Certification, Quality Mark or Licence**

Choose an item.

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| 2.2.2 Name of Certification Body issuing the Quality Mark or Licence |
| Enter the full name of the certification body that issues the above mentioned quality mark or licence. |  |

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| **3. Cost Breakdown**  |

Eligible costs enlisted below must be rendered and paid for in line with Section 3.5 of the Incentive Guidelines.

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| **Type**  | **Description**  | **Invoice Number**  | **Supplier**  | **Value (ex VAT) €** |
| Choose an item. |       |       |       |       |
| Choose an item. |       |       |       |       |
| Choose an item. |       |       |       |       |
| Choose an item. |       |       |       |       |
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| Choose an item. |       |       |       |       |
| **Total** |       |

1. **Single Undertaking Details**

Does the applicant undertaking have at least one (1) of the following relationships with another undertaking?

1. one undertaking has a majority of the shareholders’ or members’ voting rights in another undertaking.

Yes [ ]  No [ ]

1. one undertaking has the right to appoint or remove a majority of the members of the administrative, management or supervisory body of another undertaking.

Yes [ ]  No [ ]

1. one undertaking has the right to exercise a dominant influence over another undertaking pursuant to a contract entered into with that undertaking or to a provision in its memorandum or articles of association.

Yes [ ]  No [ ]

1. one undertaking, which is a shareholder in or member of another undertaking, controls alone, pursuant to an agreement with other shareholders in or members of that undertaking, a majority of shareholders’ or members’ voting rights in that undertaking.

Yes [ ]  No [ ]

1. Owns more than 50% shareholding in another undertaking

Yes [ ]  No [ ]

If you replied 'yes' to one or more of the above and one of the linked undertakings has received assistance under *COMMISSION REGULATION (EU) No 1407/2013 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*, this has to be reflected in the *de Minimis* Form.

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| **5. Checklist of Documents**  |
| Kindly use the following checklist of required documents to ensure that you enclose all the necessary documents. Kindly tick all the documents that you will be submitting together with this Application Form.An Undertaking claiming a tax credit for the attainment of an approved qualifying certification, is to submit to the Corporation the following documentation **within three (3) months from the attainment of the accreditation and by not later than 30th November 2020.** |
| [ ]  Application Form completely filled in and duly signed[ ]  **Annex 1** – Copy of the documentation that demonstrates that the applicant has been granted an approved certification. [ ]  **Annex 2** – a confirmation from the accreditation body that conducted the first time audits, due diligence or verification service confirming that the date when the service was rendered and that the verification was carried out in relation to a new certification and was not related to a renewal (or any other similar occurrence); [ ]  **Annex 3** – De minimis Declaration. The purpose of this annex is to report all de minimis aid received, outlining the date, the scheme, and value of aid in Euros. The declaration form may be downloaded from: <http://support.maltaenterprise.com/deminimis>.[ ]  **Annex 4:** The consultant’s contract of service as specified in Section 3.5 of the Incentive Guidelines.[ ]  **Annex 6:** Fiscal invoices or fiscal receipts for all costs claimed.[ ]  **Annex 7:** Proof of payment (as per Section 5.1 of the Incentive Guidelines) in relation to all the eligible costs.[[1]](#footnote-1)[ ]  **Annex 8:** Copy of the Audit Report.  |
| **6. Declaration** **6.1 Personal Data Protection**

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| A. | Contact email address of the Data Protection Officer: dpo@maltaenterprise.com |
| B. | The legal basis and purpose of processing:The personal data collected by Malta Enterprise (hereinafter ‘the Corporation) via this written application for the aid and its subsequent processing by the Corporation to evaluate data subject’s request for aid under the Scheme is in line with:1. The Scheme Incentive Guidelines;
2. Article 28 of the Malta Enterprise Act;
3. Commission Regulation (EU) No 651/2014 of 17th June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty as amended by Commission Regulation (EU) No 2017/1084 of 14 June 2017 amending Regulation (EU) No 651/2014 as regards aid for port and airport infrastructure, notification thresholds for aid for culture and heritage conservation and for aid for sport and multifunctional recreational infrastructures, and regional operating aid schemes for outermost regions and amending Regulation (EU) No 702/2014 as regards the calculation of eligible costs(hereinafter referred to as the ‘General Block Exemption Regulations’ (for Schemes notified under the General Block Exemption Regulations);
4. COMMISSION REGULATION (EU) No 1407/2013 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 (*de minimis* Regulation);
5. Data Protection Act, Chapter 440 of the Laws of Maltaand Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

The legitimate basis to process personal data submitted by the data subject by virtue of his/her written application for aid is Regulation 6 (1)(b) of the General Data Protection Regulation (“GDPR”), as ‘*processing is necessary in order to take steps at the request of the data subject prior to entering into a contract*’. |
| C. | Data retention period:The data collected by the Corporation as submitted by the data subject via this written application for aid will be retained for a period of 10 years from the last aid granted to the Undertaking represented by the data subject in relation to this written application for aid, in line with the Scheme Incentive Guidelines and Article 12 of the General Block Exemption Regulations or Article 6 of the *de minimis* Regulation. |
| D. | 1. Pursuant to the Regulation, you have the right to access the personal data, rectify inaccurate personal data, request to erase personal data and request the Corporation to restrict the processing of personal data.

To exercise such rights, you are to submit a written request to the Data Protection Officer via the contact e-mail address.Any erasing and/or rectification of personal data and/or restriction of processing as referred to above may:* 1. Render one or more cost items or the Undertaking ineligible for assistance under the Scheme or render void an Incentive Entitlement Certificate issued in favour of the Undertaking for assistance under the Scheme in relation to this written application for aid;

Lead the Corporation to enforce a recovery of aid granted to the Undertaking as part of this written application for aid, in line with Article 32 of the Malta Enterprise Act. |
| E. | Sharing of data where strictly necessary and required by law:For the purpose of processing this written application for aid in line with the Scheme Incentive Guidelines, the General Block Exemption Regulations or the Commission Regulation (EU) No 1407/2013 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 (hereinafter referred to as the ‘*de minimis Regulations*’), the Corporation shall share the data provided via this application with other Government Entities, subject that such processing satisfies at least one of the grounds listed under Regulation of the GDPR. |
| F. | For the purpose of monitoring of aid in line with Article 6 of the *de minimis* Regulations and Articles 11 and 12 of the General Block Exemption Regulations or where legally required, any data provided as part of this written application for aid may be shared with the European Commission.   |
| G. | For any individual aid awarded in excess of €500,000 as part of this written application for aid, the details of the Beneficiary, the awarded aid and the project details shall be published as provided for in Article 9 of the General Block Exemption Regulation. |
| H. | If you feel that your data protection rights have been infringed, you have the right to lodge a complaint with the Information and Data Protection Commissioner.  |
| I. | Authorisation to engage with the Corporation on matters related to this application.I the undersigned, as legal representative of the Applicant Undertaking, authorise the following Legal Bodies and/or Natural Persons to act on my behalf with Malta Enterprise Corporation with respect to matters related to this written application for aid and any subsequent documentation exchanged between the two parties in relation to the same written application for aid.

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| **Name of Legal Entity** | **Name and Surname of Natural Person granted authorisation(1)** | **E-mail address of party granted authorisation(2)** |
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Note 1: Leave empty if authorisation is intended to any natural person engaged with the Legal Entity. Otherwise specify the name and surname of the person(s) working for the Legal Entity to whom the authorisation is intended.Note 2: Written communication with the Legal Entity and/or Natural Person granted authorisation via email will only be accepted via the email address specified in the table above. The Undersigned should be copied (via the email address specified in this application) in any communication between the Corporation and the Person granted authorisation as per above table.  |
| J. |

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| **Name and Surname of person giving authorisation:** |  |
| **E-mail address of person giving authorisation:** |  |
| **Signature of person giving authorisation:** |  |
| **Designation:** |  |
| **Date:** |  |
| *The person giving authorisation should correspond to the data subject of personal data contained in this application as well as represent the Applicant Undertaking as its legal representative.* |
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K. Information on Third PartiesThe undersigned, as legal representative of the Applicant Undertaking, confirm that for any personal data submitted with this application for aid, all prior necessary measures were taken in line with the applicable provisions of the General Data Protection Regulations.**6.2 Cumulation of Aid**The undersigned declares that aid approved under this incentive is in line with the terms and conditions set out in the Incentive Guidelines and in line with Cumulation Article 8 of the Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty. **6.3 Double Funding**The undersigned confirms that there has not been any approval or has been granted any public funding, financing or fiscal benefit in respect to the cost items included in this request for aid and will not seek funding or fiscal benefits for these cost items through other **National** and/or **European Union** measures. Such measures may include:* Schemes administered by Malta Enterprise, the Planning and Priorities’ Coordination Division (PPCD), the Measure and Support Division, the Tourism and Sustainable Development Unit (TSDU), the Employment & Training Corporation (ETC), the Malta Council for Science & Technology (MCST), the Regulator for Energy and Water Services (REWS) and government funded schemes operated by other entities (such as JAMIE financial instrument).
* Schemes funded through ERDF, ESF, Cohesion Fund, TEN-T Budget, EAFRD, EFF, LIFE+; Horizon 2020 and other European Union programmes/instruments.

**6.4 Outstanding Recovery Order** The undersigned confirms that the applicant is not subject to an outstanding recovery order following a previous Commission decision declaring an aid illegal and incompatible with the internal market should be excluded from the scope of this Regulation. **6.5 Transparency Obligations** For any individual aid awarded in excess of €500 000, the details of the beneficiary; the aid awarded; and the project details; shall be published as provided for in Article 9 of the COMMISSION REGULATION (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty. By submitting this application, I hereby acknowledge that the Corporation shall abide with any applicable transparency rules and may publish and make available to third parties information as required by such rules.    |
| **7. Declaration** The undersigned hereby authorises Malta Enterprise Corporation to process the data contained in this form for the purpose stated above and declare that the information on this form and any other information given in support of this application is correct to the best of the applicant’s knowledge.

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| Name of Applicant (full legal name) |       |

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| Name and Surname of signatory authorised to represent the Applicant (CAPITAL LETTERS) |       |

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| Position in Establishment |       |

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| Signature & Company Stamp |  |

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| Date | Click here to enter a date. |

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1. In the case where costs are in a currency other than Euro the relevant amounts should be converted to Euro using the middle rate of exchange as determined by the European Central Bank. [↑](#footnote-ref-1)