



**MINISTRY OF PUBLIC FINANCE**

**Payment Guide**  
**of the State aid awarded on the basis of G.D. no. 807/2014**  
***on the establishment of certain State aid schemes to support investments with major impact on the economy***

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**VALID for the Payment requests of State aid**  
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**of this Guide**

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## CHAPTER I - GENERAL INFORMATION

Throughout the period of validity of the State aid scheme, the Ministry of Public Finance makes available to the applicants at <http://www.mfinante.gov.ro/>, section Informed Investor - State aid, a dedicated platform through which can be addressed questions, notices, and requests for clarifications, which shall be resolved with urgency, if not already treated in this material and on the website of the Ministry of Public Finance.

Enterprises may request in writing to have technical meetings to clarify the aspects related to the Payment request of State aid, in accordance with the mentions from the website of the Ministry of Public Finance, section Informed Investor - State aid - Technical meeting request.

### 1. What are the stages that follow the issuance of the Financing Agreement?

For the purpose of payment of the State aid, the enterprise benefiting of State aid must go through the following stages:

a) it should start the investment within at most 6 months as of the date of issuance of the financing agreement, under observance of the schedule undertaken in the documentation attached to the Application for Financing Agreement;

b) it should incur the eligible expenses that correspond to the initial investment, in accordance with the financing agreement, considering the schedule of performance of the investment;

#### **WARNING!**

The State aid shall be paid in accordance with the eligible expenses established for every cost category, according to the Financing Agreement.

The amounts left unused in one cost category may not be transferred to another cost category.

c) it should send to the Ministry of Public Finance the payment request of the State aid and the settlement form accompanied by supporting documents mentioned in this Payment Guide, as approved through order of the minister of public finance.

#### **WARNING!**

Shall not be taken into account the requests sent to a different address than the one of the Ministry of Public Finance.

### 2. What is the maximum term of transmission of the payment request?

The State aid can be paid by 2028 to the enterprises that have received a financing agreement, after partial or total performance of the eligible expenses incurred in accordance with the financing agreement, within the limit of the approved annual budget appropriations.

#### **WARNING!**

The requests submitted after the legal term shall be returned to the enterprises.

If the Ministry of Public Finance is analyzing at the same time a payment request of State aid and a notification related to the amendment of the schedule of implementation of the investment, pursuant to art. 16, para. (2) in Annex no. 2 to G.D. no. 807/2014, as subsequently amended and supplemented, the payment request shall be returned until the schedule amendment is settled.

If the Ministry of Public Finance is analyzing a payment request of State aid, a new payment request shall be submitted only after the first one is settled.

## CHAPTER II – PAYMENT OF THE STATE AID

### 1. What are the stages that must be gone through for State aid payment?

#### **WARNING!**

The Ministry of Public Finance shall settle the request for payment of State aid:

- a) after **analyzing at the seat of the ministry the supporting documents** attached to the payment request and the eligibility of the assets for which the payment of State aid is requested; and
- b) after **verifying on the spot** the existence of the assets and the compliance of the documents corresponding to the expenses made by the enterprise<sup>1</sup>.

#### **1.1 Registration of the payment request of State aid**

For the purpose of performance of the State aid payment, the beneficiary enterprise shall send to the Ministry of Public Finance a payment request for State aid, accompanied by the supporting documents.

The request for payment of State aid, accompanied by the supporting documents, can be sent as follows:

- on paper, by post or courier services,
- electronically, through on-line submission<sup>2</sup>.

The payment request of State aid and the supporting documents attached thereto form the File of the Payment request of State aid.

#### **WARNING!**

All the documents issued by the applicant enterprise that correspond to the File of the Payment request of State aid must be dated and signed by the issuer.

**The compliance of the documents presented in copies** is assumed by the legal representative of the enterprise through the statement on one's own responsibility from the payment request.

#### **WARNING!**

The beneficiary enterprise must keep for 10 years as of the date of payment of the last installment of State aid all the documents related to State aid.

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<sup>1</sup> According to G.D. No. 268/2020 amending G.D. no. 807/2014, as subsequently amended and supplemented, by December 31, 2020 shall not longer be made verifications on the spot. If new amendments occur, they shall be communicated to the beneficiaries of State aid on the web page of the Ministry of Public Finance in the section Informed Investor - State aid/G.D. No. 807/2014/On-line submission.

<sup>2</sup> The date as of which the payment requests shall be submitted on-line and the necessary instructions shall be published on the web page of the Ministry of Public Finance in the section Informed Investor - State aid/G.D. No. 807/2014/On-line submission.

## 1.2 Order of filing of the documents in the File of the Payment request of State aid

The documents of the Payment request of State aid shall be filed in the following order:

File no./Binder	Supporting documents included in the file
1	<ul style="list-style-type: none"> <li>- Payment request of State aid</li> <li>- the Settlement Form</li> <li>- the general documents mentioned at point 1.3.A</li> </ul>
2	<ul style="list-style-type: none"> <li>- the Note regarding the internal procurement and supplier selection procedure</li> <li>- the report on the selection of tangible/intangible assets/services suppliers provided in Annex no. 3 to this Guide</li> <li>- the Statement on one's own responsibility of the legal representative certifying the fact that the procurement of the assets observes the principles of procurement under market conditions, namely: nondiscrimination, equal treatment, mutual recognition, transparency, proportionality and efficiency in the use of funds, elaborated for every payment request submitted to the Ministry of Public Finance</li> <li>- the Statement on one's own responsibility of the legal representative that the procurement of the assets within the group/from agreed third parties observes the principles of procurement under market conditions</li> </ul> <p>The statement shall be sent only if the procurement is made from within the group/from agreed third parties, and presents the legal framework (internal procurement procedure/other documents corresponding to the procurement, as well as the reasons which were at the basis of this type of procurement, for example: patents, manufacturing licenses of commercial secret type, incompatibilities of technical nature, etc.)</p> <ul style="list-style-type: none"> <li>- Agreements/orders corresponding to rent, tangible and intangible assets</li> </ul> <p>If the supporting documents are filed in several binders, they shall be numbered 2.1, 2.2, 2.3, etc., <b>by order of the eligible expenses that correspond to the tangible/intangible assets, to the rents presented in the settlement form.</b></p>
3	<p><b>For every tangible/intangible asset or rent expense shall be attached:</b></p> <ul style="list-style-type: none"> <li>✓ Invoices from the suppliers declared winners in the procurement procedure under market conditions</li> <li>✓ Account statement</li> <li>✓ Accounting notes</li> <li>✓ Works reports, as applicable</li> <li>✓ Photographs of the constructions, technical installations, machines and equipment, as applicable</li> </ul> <p>- If the supporting documents are filed in several binders, they shall be numbered 3.1, 3.2, 3.3, etc., <b>by order of the eligible expenses that correspond to the tangible/intangible assets, to the rents presented in the settlement form.</b></p>
4	<ul style="list-style-type: none"> <li>- the Statement on one's own responsibility related to the assets for which the payment of State aid is requested, as provided in Annex no. 5 to this Guide, elaborated for every payment request submitted to the Ministry of Public Finance.</li> <li>- the Note regarding the fulfillment of the special mentions provided in the Financing Agreement</li> </ul> <p><b>Shall be presented only if the special mentions condition the payment of State aid</b></p> <ul style="list-style-type: none"> <li>- Statement on one's own responsibility regarding the degree of implementation of the investment plan (Annex no. 4 to this Guide)</li> </ul> <p><b>Shall be presented only for the last payment request</b></p> <ul style="list-style-type: none"> <li>- Other relevant documents</li> </ul>

**1.3 Requirements in terms of compliance and of the conditions on the basis of which was issued the financing agreement regarding the documents included in the File of the Payment request of State aid**

The documents necessary for the performance of the payment are:

**A. General documents issued or validated by the enterprise or by other public authorities**

**A1. Compliance requirements**

No.	Document	Compliance requirements
1	Approved annual financial statements corresponding to the last concluded financial year	The annual financial statements must contain: - The status of assets, debts, and own capitals - Form 10, - The profit and loss account - Form 20, - Informative details - Form 30, - The situation of fixed assets - Form 40, - The proof of submission thereof to the authorized fiscal bodies, - the Report of the independent auditor
2	Ascertaining Certificate issued by the N.T.R.O. attached to the Tribunal of the county where the enterprise is seated	- is submitted in its original counterpart or issued under electronic signature by the on-line services of the National Trade Register Office, - is issued at most 10 business days before the date of registration of the Payment request, - contains at least the following information: identification details, sole registration code, shareholders and legal representatives of the enterprise, main field of activity, all secondary fields of activity, including that for which the financing is granted, and the working units of the enterprise.
3	Copy of the ID/passport of the legal representative/attorney-in-fact of the legal representative	Copy of the ID/passport valid on the date of submission of the payment request
4	Written confirmation from the National Agency for Fiscal Administration regarding the status of the account - IBAN code 5070 "Available funds from subsidies and transfers"	Written confirmation from the National Agency for Fiscal Administration - Activity of Treasury and Public Accounting where the enterprise has its fiscal domicile, regarding the opening of the account and the fact that said account is active
5	Statement on one's own responsibility of the legal representative (Annex no. 5 to this Guide)	The Statement on one's own responsibility presupposes that the legal representative certifies the information provided in Annex no. 5 for the assets that correspond to the payment request
6	Index of the documents sent for the payment of State aid.	Mentions the denomination of every document and the page where it is filed.

**A2. What information should the Index include?**

The numbering of the pages is mandatory and shall be made in ascending order, after the creation of the entire payment file, page number 1 being the first page of the payment request of State aid. Shall be also numbered the documents issued by other State authorities, so that all the documents which form the File of the Payment Request should be registered and mentioned in the index.

**WARNING!**

All the documents shall be filed, numbered on every page and indexed in the order provided in this Guide.

## **B. Documents that are specific to the eligible expenses settled with State aid**

### **B1. Payment request of State aid**

- the information shall be filled in according to Annex no. 1 to this Guide.

#### **WARNING!**

In order to **fulfill the compliance requirements, the payment request of State aid:**

- has all the sections filled in with the requested data, observes the model of form in annex no. 1 to this Guide, is dated and signed by the person authorized to legally represent the enterprise;
- contains information correlated with the information from the Financing Agreement, the Ascertaining Certificate, the identity document of the person authorized to legally represent the enterprise.

#### **WARNING!**

**For the paper format:** the model of Payment request of State aid can be found on the website of the Ministry of Public Finance (**[www.mfinante.ro](http://www.mfinante.ro) - Informed investor - State aid - G.D. No. 807/2014 - State aid payment form - Payment request of State aid**).

**For the on-line format:** the model of Payment request of State aid can be found on the website of the Ministry of Public Finance (**[www.mfinante.ro](http://www.mfinante.ro) Informed Investor - State aid/G.D. No. 807/2014/On-line submission**).

### **B2. The Settlement Form**

- shall be structured and filled in according to the model presented in Annex 2 to this Guide,

#### **WARNING!**

In order **to fulfill the compliance requirements, the settlement form:**

- has all the sections filled in with the requested data, observes the model of form in annex no. 2 to this Guide;
- is dated and signed by the person authorized to legally represent the enterprise.

#### **WARNING!**

For the purpose of **fulfillment of the eligibility requirements**, the settlement form contains information correlated with: the approved financing agreement, invoices, account statements, accounting documents.

#### **WARNING!**

**For the paper format:** the model of Settlement form can be found on the website of the Ministry of Public Finance (**[www.mfinante.ro](http://www.mfinante.ro) - Informed investor - State aid - G.D. No. 807/2014 - State aid payment form - Settlement form**).

**For the on-line format:** the model of Settlement form can be found on the website of the Ministry of Public Finance (**[www.mfinante.ro](http://www.mfinante.ro) - Informed Investor - State aid/G.D. no. 807/2014/ On-line**

**submission).**

**WARNING!**

The Settlement form in annex no. 2 to this Guide shall be submitted both on paper and in electronic form, in Microsoft Excel format, if the enterprise sends the payment request accompanied by the supporting documents, on paper, to the Ministry of Public Finance.

**B3. The documents which prove the observance of the internal procurement and supplier selection procedure**

The purchased assets/services/works must contribute to the attainment of the objectives of the investment project, under observance of the schedule of implementation of the investment and of the Financing Agreement.

**DEFINITION**

The schedule of implementation of the investment - period of implementation of the investment plan as of the starting date of the investment and until December 31 of the year when the investment is completed.

**3.1. Note regarding the internal procurement and supplier selection procedure**

The enterprise must hold or elaborate, as applicable, an Award procedure applicable inclusively/exclusively to the assets/services/works that correspond to the investment project, before the award of the agreements.

The award procedure of the procurement agreements of assets/services/works that correspond to the investment project must observe the principles of: non-discrimination, equal treatment, mutual recognition, transparency, proportionality and efficiency in the use of funds, and this shall be certified by the legal representative through the statements on one's own responsibility under point 3.3 in this Guide.

The note regarding the internal procedure must be certified by the legal representative and must contain the description of the stages of the procurement process, as well as the documents which are used in the procurement procedure (example: request for tenders, tenders, final documents of establishment of the winner, communications to the participants to the selection process, etc.).

The Note must mention the number and date of the procedure on the basis of which the selection was made.

**3.2. Report on the selection of suppliers of tangible/intangible assets/services**

**The Report on the selection of suppliers of tangible/intangible assets/services shall be presented in accordance with the model in Annex no. 3 to this Guide and shall centralize the supporting documents regarding the selection of suppliers, as they are described in the Note regarding the internal procedure. The document shall be signed and dated, being certified through the Statement on one's own responsibility of the legal representative.**

**WARNING!**

All the documents mentioned in the Report on the selection of suppliers of tangible/intangible assets/services **shall be verified on the spot.**

**Throughout the period of suspension of the verification on the spot these documents shall be sent on memory stick, in .pdf format to the Ministry of Public Finance.**

The documents that are sent shall be certified by the legal representative through a statement on one's own responsibility that all the information provided and registered is correct and complete and that all the copies of documents are compliant with their originals.

### 3.3. Statements regarding the selection of suppliers of assets/services

➤ Statement on one's own responsibility of the legal representative certifying the fact that the procurement of the assets was made under observance of the principles of procurement under market conditions, namely: nondiscrimination, equal treatment, mutual recognition, transparency, proportionality and efficiency in the use of funds, elaborated for every payment request submitted to the Ministry of Public Finance.

➤ Statement on one's own responsibility of the legal representative that the procurement of the assets within the group/from agreed third parties observes the principles of procurement under market conditions.

The statement shall be sent only if the procurement is made from within the group/from agreed third parties, and presents the legal framework (internal procurement procedure/other documents corresponding to the procurement, as well as the reasons which were at the basis of this type of procurement, for example: patents, manufacturing licenses of commercial secret type, incompatibilities of technical nature, etc.).

#### **WARNING!**

The statements on one's own responsibility of the legal representative shall be elaborated for every payment request submitted to the Ministry of Public Finance.

## B4. Supporting documents regarding the procurement and payment of tangible assets

For the fulfillment of the eligibility requirements:

### 1. Tangible assets represent:

a) constructions of any type, respectively the expenses incurred for the execution of constructions;

#### **WARNING!**

*In the case of constructions shall be considered eligible only the expenses found in Chapter 4 - Expenses for the basic investment, sub-chapter 4.1 - Basic constructions and installations from the Estimate by object, such as it is presented in Annex no. 8 to Government Decision no. 907/2016 (earthworks, resistance, architecture, installations).*

Built-up area = the sum of the areas of all levels of the construction, in accordance with STAS 4908-85 "Civil, industrial, and agrozootechnical buildings. Conventional areas and volumes".

#### **Shall NOT be eligible:**

- the expenses for execution of constructions according to the works estimates for other investment objectives, which are not provided in the investment plan.
- the purchase, modernization, and rehabilitation of constructions.
- the types of constructions which are not classified under STAS 4908-85 "Civil, industrial, and agrozootechnical buildings. Conventional areas and volumes" (for example: platforms, roads, etc.).

b) new technical installations, machines and equipment classified in accordance with Government Decision no. 2.139/2004 approving the Catalog on the classification and normal operating terms of fixed assets, as subsequently amended, with the minimum entry value of fixed assets established in accordance with the legal provisions in force.

**WARNING!**

**Shall NOT be eligible:**

- the purchase of furniture and industrial furniture, decorations, means of transport that can be registered, electronic computers **which are not part of the technological flow**, tool kits, tool cabinets/carts, etc.
- expenses for transport, assembly of technical installations, of machines and equipment.

**2. The lease of constructions represents** the expenses for the lease of constructions that correspond to the initial investment throughout the period of implementation of the investment plan.

**WARNING!**

The maximum eligible value of the rent may not exceed 22 Lei/sq.m./month; the value of the rent which exceeds the maximum eligible value is not eligible and shall be financed by the enterprise benefiting of State aid from own sources.

Shall be considered eligible the expenses for the lease of constructions that correspond to the initial investment and are registered throughout the period of implementation of the investment plan.

The lease agreement must be valid at least for the period of performance of the initial investment and five years after completion thereof, with possibility of extending the validity by at least 2 years.

**3. The intangible assets** represent depreciable assets associated to the initial investment that do not have a physical or financial form, like patents, licenses, know-how or other intellectual property rights.

**4.1. construction works**

No.	Document	The supporting documents must contain at least the following elements
1	Agreements of execution of construction works concluded with the supplier appointed through the procurement process	<ul style="list-style-type: none"><li>- the agreements must ensure the possibility of identification of the constructions which form the object of the investment project financed with State aid, in accordance with the investment plan.</li><li>- the content thereof must include the estimates on every construction that corresponds to the investment and the value broken down on eligible and ineligible expenses.</li><li>- shall be presented the relevant annexes and the possible addenda to the agreements, as applicable.</li></ul>
2	Work Reports	<ul style="list-style-type: none"><li>- the work reports for every construction that corresponds to the Estimate, with breaking down on eligible and ineligible expenses, which have a number and a date. They provide the number and date of the construction works execution agreement.</li><li>- if the Work Reports include the eligible and ineligible expenses, a Statement on one's own responsibility must be submitted, given by the legal representative and mentioning the eligible expenses and separately the ineligible expenses. The values in the Work reports expressed in foreign currency shall contain a section with their equivalent in Lei, correlated with the amount from the invoice.</li><li>- the documents are signed by the beneficiary enterprise, the work performer and the site manager.</li></ul>
3	Invoices that correspond to the eligible expenses for which	<ul style="list-style-type: none"><li>- the Invoices shall be presented in order of their registration in the settlement form.</li></ul>

No.	Document	The supporting documents must contain at least the following elements
	financing with State aid is requested	<ul style="list-style-type: none"> <li>- the invoices must contain: <ul style="list-style-type: none"> <li>✓ number, date, name of the supplier, name of the beneficiary and signature of the supplier.</li> <li>✓ the number and date of the agreement on the basis of which was issued the invoice or the number and date of the corresponding Work report, as applicable.</li> </ul> </li> <li>- if the invoices include both eligible and ineligible expenses, an Explanatory note shall be elaborated, where the eligible and ineligible expenses shall be separately presented, with separate mentioning of the VAT corresponding thereto.</li> </ul>
4	Account statement	<ul style="list-style-type: none"> <li>- the account statements must identify and mark the number, date, and value of the eligible invoice. The documents must certify the performance of the payments by the enterprise benefiting of State aid.</li> <li>- if the amount paid includes several invoices (eligible and ineligible/or only eligible) shall be elaborated a Supporting note regarding the payment of the invoices, which shall be certified by the person authorized to legally represent the enterprise.</li> </ul> <p>The Note shall contain a summary table mentioning separately the number and date of every invoice, the value of every invoice and the total payment, correlated with the account statement.</p> <ul style="list-style-type: none"> <li>- if the payment documents include material errors, a Statement on one's own responsibility shall be elaborated by the person authorized to represent the enterprise, which shall certify the value, number, and date of the correct eligible invoice.</li> </ul>
5	Accounting notes	<ul style="list-style-type: none"> <li>- shall be submitted the accounting notes of registration of the assets, in the account of <i>Fixed Assets</i>, in Lei. They shall provide the value and denomination of the asset.</li> <li>- the accounting notes shall be signed by the person who elaborated them, and shall be endorsed by the financial director.</li> <li>- the accounting notes for the invoices issued in foreign currency shall also contain the reference exchange rate used to register them in the accounting records.</li> </ul>
6	Photographs of the constructions corresponding to the Work reports	To the last installment of State aid requested for this type of expense shall be attached relevant photographs identifying the construction/constructions and the inventory number/numbers corresponding thereto.
The documents shall be submitted in copies, with the exception of the explanatory notes and the statements on one's own responsibility.		

#### 4.2. Lease of constructions

No.	Document	The supporting documents must contain at least the following elements
1	Constructions lease agreements	<ul style="list-style-type: none"> <li>- they shall include at least the following elements: the object of the agreement, the leased area, the value of the agreement.</li> <li>- Shall be presented, if applicable, all the relevant annexes and the possible addenda to the agreements.</li> </ul>
2	Invoices that correspond to the rents for which financing	- the Invoices shall be presented in order of their registration in the settlement form.

No.	Document	The supporting documents must contain at least the following elements
	with State aid is requested	<ul style="list-style-type: none"> <li>- the invoices must contain: <ul style="list-style-type: none"> <li>✓ number, date, name of the supplier, name of the beneficiary and signature of the supplier.</li> <li>✓ number and date of the agreement on the basis of which was issued the invoice.</li> </ul> </li> </ul>
3	Account statement	<ul style="list-style-type: none"> <li>- the account statements must identify and mark the number, date, and value of the eligible invoice. The documents must certify the performance of the payments by the enterprise benefiting of State aid.</li> <li>- if the amount paid includes several invoices (eligible and ineligible/or only eligible) shall be elaborated an Explanatory note regarding the payment of the invoices, which shall be certified by the person authorized to legally represent the enterprise.</li> </ul> <p>The Note shall contain a summary table mentioning separately the number and date of every invoice, the value of every invoice and the total payment thereof, correlated with the account statement.</p> <ul style="list-style-type: none"> <li>- if the payment documents include material errors, a Statement on one's own responsibility shall be elaborated by the person authorized to represent the enterprise, which shall certify the value, number, and date of the correct eligible invoice.</li> </ul>
4	Accounting notes	<ul style="list-style-type: none"> <li>- Shall be submitted the accounting notes of the invoices related to the registration of expenses for rent, in Lei.</li> <li>- the accounting notes shall be signed by the person who elaborated them, and shall be endorsed by the financial director.</li> </ul> <p>They shall include the number and date of the registered invoice, the value thereof.</p>
The documents shall be submitted in copies, with the exception of the explanatory notes and the statements on one's own responsibility.		

#### 4.3. Technical installations, machines, and equipment

No.	Document	The supporting documents must contain at least the following elements
1	Agreements of procurement and/or orders to the supplier appointed through the procurement process	<ul style="list-style-type: none"> <li>- their content should include the name of the assets and the value thereof.</li> <li>- Shall be presented, if applicable, the relevant annexes and the possible addenda to the agreements/orders, revealing the name and value of these assets.</li> <li>- if the content of the agreements/orders mentions several types of machines or equipment, shall be separately presented the name and value corresponding thereto (eligible and ineligible).</li> <li>- if the agreements include several machines or equipment, both eligible and ineligible, shall be marked only the eligible ones.</li> </ul>
2	Invoices that correspond to the eligible expenses for which financing with State aid is requested	<ul style="list-style-type: none"> <li>- the Invoices shall be presented in order of their registration in the settlement form.</li> <li>- the invoices must contain: <ul style="list-style-type: none"> <li>✓ number, date, name of the supplier, name of the beneficiary and signature of the supplier,</li> <li>✓ name of the tangible asset.</li> </ul> </li> <li>- if the invoices do not present the eligible and ineligible</li> </ul>

No.	Document	The supporting documents must contain at least the following elements
		expenses separately, an Explanatory note shall be elaborated, where these expenses shall be presented, with separate mentioning of the VAT corresponding thereto.
3	Account statements	<ul style="list-style-type: none"> <li>- the account statements must identify and mark the number, date, and value of the eligible invoice. The documents must certify the performance of the payments by the enterprise benefiting of State aid.</li> <li>- if the amount paid includes several invoices (eligible and ineligible/or only eligible) shall be elaborated an Explanatory note regarding the payment of the invoices, which shall be certified by the person authorized to legally represent the enterprise.</li> </ul> <p>The Note shall contain a summary table mentioning separately the number and date of every invoice, the value of every invoice and the total payment thereof, correlated with the account statement.</p> <ul style="list-style-type: none"> <li>- if the payment documents include material errors, a Statement on one's own responsibility shall be elaborated by the person authorized to represent the enterprise, which shall certify the value, number, and date of the correct eligible invoice.</li> </ul>
4	Accounting notes	<ul style="list-style-type: none"> <li>- They shall provide the value and denomination of the asset</li> <li>- the accounting notes for the assets purchased in foreign currency shall also contain an express mention of the reference exchange rate used to register them in the accounting records.</li> <li>- the accounting notes shall be signed by the person who elaborated them, and shall be endorsed by the financial director.</li> <li>- in the accounting notes, namely in the account of Fixed assets, shall be mentioned the number and date of the registered invoice, the exchange rate used, the value of the invoice in foreign currency and Lei; all of this information shall be marked.</li> </ul>
5	Photographs of the equipment presented in the settlement form	To the last installment of State aid requested for this type of expense shall be attached photographs where it should be visible the inventory number corresponding to every asset.
The documents shall be submitted in copies, with the exception of the explanatory notes and the statements on one's own responsibility.		

#### B5. Supporting documents regarding the intangible assets

No.	Document	The supporting documents must contain at least the following elements
1	Statement on one's own responsibility of the legal representative of the enterprise regarding the procurement of the intangible assets from third parties unrelated to the purchaser	The document specifies that the intangible assets are purchased from third parties unrelated to the purchaser, respectively the enterprise benefiting of State aid. It is dated and signed by the person authorized to represent the enterprise.
2	Agreements of procurement and/or orders to the supplier appointed through the procurement process	<ul style="list-style-type: none"> <li>- their content should include the name of the assets and the value thereof.</li> <li>- Shall be presented, if applicable, the relevant annexes and the possible addenda to the agreements/orders,</li> </ul>

No.	Document	The supporting documents must contain at least the following elements
		revealing the name and value. - if the content of the agreements/orders mentions several types of intangible assets, shall be separately presented the name and value corresponding thereto.
3	Invoices that correspond to the eligible expenses for which financing with State aid is requested	- the Invoices shall be presented in order of their registration in the settlement form. - the invoices must contain: <ul style="list-style-type: none"> <li>✓ number, date, name of the supplier, name of the beneficiary and signature of the supplier,</li> <li>✓ name of the intangible asset.</li> </ul> - if the invoices present the eligible and ineligible expenses, they must be presented separately, with separate mentioning of the VAT corresponding thereto.
4	Account statements	- the account statements must identify and mark the number, date, and value of the eligible invoice. The documents must certify the performance of the payments by the enterprise benefiting of State aid. - if the amount paid includes several invoices (eligible and ineligible/or only eligible) shall be elaborated an Explanatory note regarding the payment of the invoices, which shall be certified by the person authorized to legally represent the enterprise. The Note shall contain a summary table mentioning separately the number and date of every invoice, the value of every invoice and the total payment thereof, correlated with the account statement. - if the payment documents include material errors, a Statement on one's own responsibility shall be elaborated by the person authorized to represent the enterprise, which shall certify the value, number, and date of the correct eligible invoice.
5	Accounting notes	- shall be submitted the accounting notes of registration of the assets, in Lei. - the accounting notes for the assets purchased in foreign currency shall also contain an express mention of the reference exchange rate used to register them in the accounting records. - the accounting notes shall be signed by the person who elaborated them, and shall be endorsed by the financial director. In the accounting notes shall be mentioned the number and date of the registered invoice, the exchange rate used, the value of the invoice in foreign currency and Lei; all of this information shall be marked.
The documents shall be submitted in copies, with the exception of the explanatory notes and the statements on one's own responsibility.		

**DEFINITION**

**Third parties unrelated to the purchaser** - natural or legal persons that are not found in at least one of the following situations:

- (i) natural persons who are spouses or relatives up to the 3rd degree, inclusive, of the personnel or management of the purchaser;
- (ii) natural persons who are employees of the purchaser;

(iii) natural or legal persons who are sellers and have an influence on the structure, votes or decisions of the purchaser's management bodies;

(iv) natural or legal persons who are sellers and on which the purchaser has an influence on the structure, votes or decisions of their management bodies.

## B6. Other supporting documents

No.	Document	The supporting documents must contain at least the following elements
1	The statement on one's own responsibility regarding the assets for which payment of State aid is requested (Annex no. 5 to this Guide)	<ul style="list-style-type: none"><li>- The statement on one's own responsibility is dated and signed by the person authorized to legally represent the enterprise.</li><li>- <b>Shall be presented for every payment request, in accordance with the model in Annex no. 5 to this Guide.</b></li></ul>
2	Note regarding the fulfillment of the special mentions provided in the Financing Agreement	<ul style="list-style-type: none"><li>- the Note shall present the degree of fulfillment of the obligations provided in the Special mentions included in the Financing Agreement.</li><li>- <b>Shall be presented only if the special mentions condition the payment of State aid.</b></li><li>- the Note is signed by the person authorized to legally represent the enterprise, it has a number and date.</li></ul>
3	Statement on one's own responsibility regarding the degree of implementation of the investment plan (Annex no. 4 to this Guide)	<ul style="list-style-type: none"><li>- the Statement contains the degree of implementation of the investment plan (eligible and ineligible expenses) as of the last payment request and the observance of the value of minimum 4.5 million Lei, in accordance with the provisions of art. 18 letter b) in G.D. No. 807/2014, as subsequently amended and supplemented.</li><li>- if the investment is not completed on the date of the last payment request, the statement shall contain the reason for the non-completion, as well as the estimated date for completion of the investment, in accordance with the Financing Agreement.</li></ul>
4	Other relevant documents	Any other documents for clarification of certain specific aspects that correspond to the Payment request of State aid, as applicable.

The documents shall be signed by the person authorized to represent the enterprise, with the exception of the documents issued by other authorities, which shall be presented in copies.

### **WARNING!**

All the documents sent to the Ministry of Public Finance by the enterprise must be submitted in Romanian language.

In the case of documents submitted in a foreign language, the enterprise shall submit them accompanied by translations into Romanian thereof certified by authorized translators.

### **WARNING!**

The Ministry of Public Finance is entitled to request to the enterprise any other supporting documents necessary for the settlement of the Payment request of State aid.

## **1.4 Terms of assessment of the Payment request and of the supporting documents**

The Ministry of Public Finance verifies the payment request of State aid within 30 business days as of the date of registration thereof with the Ministry of Public Finance.

If it is found that certain documents are missing or there are inconsistencies between the

transmitted data and information, the Ministry of Public Finance shall send a request for additional documents and information.

The enterprise shall send to the Ministry of Public Finance clarification documents within 30 business days as of the date of receipt of the request.

If the enterprise does NOT confirm the receipt of the request sent by the Ministry of Public Finance or does not observe the term of 30 business days as of the date of receipt of the request, the Ministry of Public Finance shall return to the enterprise the payment request of State aid, within 15 business days, in order for it to be supplemented.

**WARNING!**

For the purpose of calculating the term of 15 business days for the return of the payment request shall be necessary the following mentions:

**1. The situation in which the enterprise does NOT confirm the receipt of the transmitted request:**

When the request is returned to the Ministry of Public Finance by the post:

- shall be contacted the enterprise and shall be resent the request to the same address/a new address communicated by the legal representative of the enterprise by email.

If the request is returned for the second time, the entire documentation that corresponds to the payment request shall be returned to the address mentioned in the request, within 15 business days as of the date of return of the post.

- if the enterprise cannot be contacted, the entire documentation that corresponds to the payment request shall be returned to the address mentioned in the request, within 15 business days as of the date of return of the post.

**2. The situation in which the enterprise does NOT observe the term of 30 business days as of the date of receipt of the request for transmission of the clarification documents:**

When the answer to the request is not sent by the enterprise within the 30 business days as of the date when the company signs the confirmation of receipt (A.R.), the entire documentation shall be returned to the address mentioned in the payment request, within 15 business days as of the day when the 30 business days have lapsed.

**1.5. The request of the Tax ascertaining certificates and the verification on the spot of the investment**

After it analyzes all the documents, the Ministry of Public Finance shall send a **letter** to the enterprise, through which:

- a. it requests the Tax ascertaining certificates for the budgets that form the general consolidated budget,

**WARNING!**

**The State aid shall be paid only if the enterprise does not register outstanding debt to the budgets that form the general consolidated budget. In this respect, the enterprise shall send:**

**- Tax ascertaining certificate for the State budget issued by the National Agency for Fiscal Administration.**

**- the Tax ascertaining certificates for the local budgets for the registered office and all the working units mentioned in the Ascertaining Certificate sent with the payment request.**

- b. it informs the enterprise on the period of performance of the verification.

**WARNING!**

The verification on the spot shall be suspended until December 31, 2020.

**The verification on the spot shall be performed in the location of implementation of**

the investment and, as applicable, at the registered office of the enterprise.

The enterprise shall be required to appoint, through a letter sent by fax/email, the individuals who accompany the representatives of the Ministry of Public Finance on the spot, as well as the contact details thereof.

During the performance of the verification on the spot, the enterprise is required to allow access to the representatives of the Ministry of Public Finance, under the law, to the assets corresponding to the initial investment and to all the documents attesting the fulfillment of the conditions imposed by G.D. no. 807/2014, as subsequently amended and supplemented.

The enterprise shall be required to make available to the representatives of the Ministry of Public Finance the following documents:

- the register of fixed assets and/or assets in progress, excerpt of the eligible assets, in copy;

**WARNING!**

The register of fixed assets and/or assets in progress - excerpt of the eligible assets, shall be updated for every Payment request which is submitted, respectively shall be also added to the current Payment request the assets requested for payment in the previous payment request/previous payment requests.

Hence, on the date of the last payment request, **the Register of fixed assets and/or of assets in progress - excerpt, must contain all the eligible assets requested for payment in all submitted payment requests, assets which correspond to the investment project for which the enterprise received the Financing Agreement.**

- The documents mentioned in the Report on the selection of tangible/intangible assets/services suppliers included in the payment request (Annex no. 3 to this Guide);
- Any other supporting document which conditions the settlement of the Payment request of State aid.

The Tax ascertaining certificates for the budgets which form the general consolidated budget can be taken by the representatives of the Ministry of Public Finance during the verification on the spot or they can be transmitted by the enterprise to the Ministry of Public Finance.

**WARNING!**

The tangible and intangible assets which form the object of settlement with State aid must exist physically in the location of implementation of the investment.

If the eligible assets cannot be identified on the spot in the location of the investment, they shall NOT be settled with State aid.

The expenses which correspond to the assets can be partially or fully incurred by the enterprise, in accordance with the concluded agreements/orders.

Following the verification on the spot, the representatives of the Ministry of Public Finance shall elaborate the unilateral Ascertaining Note in two counterparts, out of which one counterpart shall be sent to the enterprise.

## **2. Settlement of the Payment request of State aid**

If the Payment request of State aid is considered complete, the representatives of the Ministry of Public Finance shall elaborate the Payment report, an internal document through which it is proposed the settlement of the State aid corresponding to the payment request.

The request for payment of State aid shall be considered complete when:

- it observes all the requirements in terms of compliance and the conditions on the basis of which was issued the Financing Agreement,
- the enterprise does not have outstanding debt to the budgets that make up the general consolidated budget,
- the verification on the spot of implementation of the investment was made,
- the documents mentioned in the Report on the selection of tangible/intangible assets/services suppliers included in the payment request (Annex no. 3 to this Guide) are compliant.

### 3. Which is the term of performance of the payment of State aid?

The effective transfer of the State aid shall be made by the Ministry of Public Finance into the account 50.70 "Available funds from subsidies and transfers", opened with the State Treasury unit in whose jurisdiction the enterprise benefiting of State aid has its tax domicile, within 15 business days as of the date when the payment request of State aid is considered complete within the meaning of the provisions of this scheme and was made the verification on the spot.

#### **WARNING!**

Enterprises are required to verify the value of the State aid transferred by the Ministry of Public Finance into account 50.70 "Available funds from subsidies and transfers". If any undue amount is found, the enterprises shall be required to inform the Ministry of Public Finance at once for the amount's return.

The amounts unduly collected shall be returned into the budget expense accounts from which they were collected, if the amounts are returned in the year when they were collected, respectively into the account provided under art. 8 para. (1) in Government Emergency Ordinance no. 37/2008 on the regulation of certain financial measures in the budgetary field, approved as amended through Law no. 275/2008, as subsequently amended and supplemented, if the amounts are returned in the years following the year they were collected in.

For the undue amounts collected by the enterprises, the Ministry of Public Finance shall charge related interest and penalties owed as of the date of collection and until the date of return, in accordance with Law no. 207/2015 on the Code of Fiscal Procedure.

Date of registration \_\_\_\_\_

*(shall be mentioned the registration date in the enterprise's correspondence register)*

Registration number \_\_\_\_\_

*(shall be mentioned the registration number in the enterprise's correspondence register)*

### **PAYMENT REQUEST OF STATE AID**

We, the undersigned, \_\_\_\_\_ *(the name of the enterprise shall be taken from the Ascertainig Certificate issued by the Trade Register Office)*, having the identification details mentioned at point I, legally represented by Mr./Mrs. \_\_\_\_\_ *(the first and last name of the legal representative of the enterprise shall be taken from the identity document)*, in the capacity of \_\_\_\_\_ *(administrator shall be taken from the Ascertainig Certificate under the position "Attorneys-in-fact" or attorney-in-fact, if another person is delegated to elaborate the documentation provided by G.D. no. 807/2014)*, identified with personal numeric code/tax identification number, hereby request the payment of State aid amounting to \_\_\_\_\_ *(the value shall be taken from the settlement form)*, on the basis of Financing Agreement no. \_\_\_\_\_ of \_\_\_\_\_ *(the information shall be taken from box on the upper right side of the document issued by the M.P.F.)* and in accordance with the provisions of the State aid scheme whose object is to support investments with major impact in the economy, as approved through Government Decision no. 807/2014, as subsequently amended and supplemented, observing the intensity of \_\_\_\_\_ *(shall be calculated by referencing the value of State aid to the value of the eligible expenses provided in the approved Financing Agreement)*, in accordance with the financing agreement.

#### **I. Identification details of the enterprise:**

Enterprise name: \_\_\_\_\_

*(the name of the enterprise shall be taken from the Ascertainig Certificate issued by the Trade Register Office under position "Identification information")*

Date of registration of the enterprise: \_\_\_\_\_

*(shall be taken from the Ascertainig Certificate issued by the Trade Register Office under position "Identification information")*

Registration no. with the trade register office: \_\_\_\_\_

*(shall be taken from the Ascertainig Certificate issued by the Trade Register Office under position "Identification information")*

Tax identification code: \_\_\_\_\_

*(shall be taken from the Ascertainig Certificate issued by the Trade Register Office under position "Identification information")*

Address: \_\_\_\_\_

*(county, locality, district, street, building, entrance, floor, apartment - shall be taken from the Ascertainig certificate issued by the Trade Register Office under position "Identification information")*

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

*(the information shall be taken from the Ascertainig Certificate issued by the Trade Register Office under position "Identification information")*

IBAN Code: \_\_\_\_\_, opened with the Treasury of \_\_\_\_\_

*(the information shall be taken from the notification from the National Agency for Fiscal Administration - Activity of Treasury and Public Accounting where the enterprise has its fiscal domicile).*

#### **II. Statement on one's own responsibility**

I, the undersigned, \_\_\_\_\_ *(first and last name of the legal representative of the enterprise, to be taken from the identity document thereof)*, identified with identity document series \_\_\_\_\_, no. \_\_\_\_\_, issued by \_\_\_\_\_ on \_\_\_\_\_, domiciled in the locality of \_\_\_\_\_,

\_\_\_\_\_ street, building \_\_\_\_\_, entrance \_\_\_\_\_, apt. \_\_\_\_\_  
district/county \_\_\_\_\_ (*the information shall be taken from the identity document of the legal representative*), in my capacity as legal representative of the enterprise \_\_\_\_\_ (*the name of the enterprise shall be taken from the Ascertaining Certificate issued by the Trade Register Office*), hereby declare on my own responsibility that all the information provided and registered in this application is correct and complete and that all the copies of documents that accompany the application are compliant with their originals.

I hereby declare on my own responsibility that the enterprise:

- is not undergoing the procedure of forced execution, insolvency, bankruptcy, judicial reorganization, dissolution, operational closing, liquidation, or temporary activity suspension,
- is not subject to decisions of recovery of State aid or if such decisions have been issued they have been enforced, in accordance with the legal provisions in force;
- has not benefited and shall not benefit of regional State aid for eligible costs of the type of salary costs within the same single investment project;

#### **DEFINITION**

**Single investment project** is any initial investment started by the same beneficiary, at group level, within a time interval of 3 years as of the starting date of the works at another investment that benefits of aid in the same region of level 3 in the Common nomenclature of territorial statistical units (NUTS 3), respectively county.

- has not made a relocation to the unit where the initial investment for which the aid is requested shall be made in the last 2 years prior to the registration of the application for financing agreement and, at the time of registration of the application, it offers a commitment that it shall not do this for a period of up to 2 years after completion of the initial investment for which the aid is requested;
- the assets exist physically in the location of implementation of the investment.

#### **WARNING!**

The data regarding the company's status (dissolution, liquidation, insolvency) are found under position "Deeds subject to the provisions of art. 21 letters e-h) in Law no. 26/1990" in the Ascertaining Certificate issued by the Trade Register Office attached to the Tribunal from the area where the economic operator has its seat.

The other data regarding the company's eligibility shall be declared on the legal representative's own responsibility, considering the fact that false documents/statements is a crime provided by art. 326 in the Criminal Code.

The Ministry of Public Finance reserves the right to request additional documents to support the statements of the legal representative.

I hereby declare on my own responsibility that the information included in this application is exact and complete, subject to enforcement of art. 326 - "*False statements*" in Law no. 286/2009 on the Criminal Code, as subsequently amended and supplemented.

Name: \_\_\_\_\_

(*the last name and first name of the legal representative of the enterprise shall be taken from the identity document*)

Position: \_\_\_\_\_

(*"administrator" shall be taken from the Ascertaining Certificate under the position "Attorneys-in-fact" or "attorney-in-fact", if another person is delegated to elaborate the documentation provided by G.D. No. 07/2014, as subsequently amended and supplemented, by attaching to the file of the payment request a "Notarial power of attorney" in its original counterpart*)

Signature: \_\_\_\_\_

(*the request shall be signed by the legal representative*)

Signing date: \_\_\_\_\_

(*the signing date is the date when the legal representative signs the application*)

**Note:**

The payment request of State aid is accompanied by the documents mentioned in the Payment Guide presented on the website of the Ministry of Public Finance.

**SETTLEMENT FORM**

Code according to the classification in the Catalog on the classification and normal operating durations of fixed assets (GD 2139/2004)	Activity 1. Execution of constructions 2. Lease of constructions 3. Technical installations, machines and equipment 4. Intangible assets	Inventory no.	Denomination of the asset from the invoice	Procurement invoice							Payment				Foreign currency used	Exchange rate used for the registration in the accounting records	Value registered in the accounting records				Intensity in accordance with the Financing agreement %	Requested State aid - lei -			
				Supplier	Invoice number	Invoice date	Value Lei/foreign currency				Account statement (no., date)	Paid value Lei/foreign currency					Total foreign currency exclusive of VAT	Total Lei exclusive of VAT	of which eligible for which financing is requested						
							Total		of which eligible			Total		of which eligible					Foreign currency	Lei, exclusive of VAT					
							with VAT	exclusive of VAT	with VAT	exclusive of VAT		with VAT	exclusive of VAT	with VAT									exclusive of VAT		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24		

Value of the eligible expenses for which financing is requested, of which:	Foreign currency, exclusive of VAT <b>(col. 21)</b>	Lei, exclusive of VAT - <b>(col. 22)</b>
Constructions, of which:		

Value of requested State aid, of which:	- lei - <b>(col. 24)</b>
Constructions, of which:	

- executed		
- rents		
Technical installations, machines, and equipment		
Intangible assets		
<b>TOTAL</b>		

- executed		
- rents		
Technical installations, machines, and equipment		
Intangible assets		
<b>TOTAL</b>		

I hereby declare on my own responsibility that the information included in this application is exact and complete, subject to enforcement of art. 326 - "False statements" in Law no. 286/2009 on the Criminal Code, as subsequently amended and supplemented.

Name: \_\_\_\_\_

*(the last name and first name of the legal representative of the enterprise shall be taken from the identity document)*

Position: \_\_\_\_\_

*("administrator" shall be taken from the Ascertaining Certificate under the position "Attorneys-in-fact" or "attorney-in-fact", if another person is delegated to elaborate the documentation provided by G.D. No. 07/2014, as subsequently amended and supplemented, by attaching to the file of the payment request a "Notarial power of attorney" in its original counterpart)*

Signature: \_\_\_\_\_

*(the request shall be signed by the legal representative)*

Signing date: \_\_\_\_\_

*(the signing date is the date when the legal representative signs the application)*

The settlement form includes **24 columns**:

- **column 1** - *Code of classification in the Catalog on the classification and normal operating durations of fixed assets (GD 2139/2004)* - shall be filled in with the classification code assigned when classifying the asset into fixed assets/the code assigned if the assets are registered in the category of Fixed assets in progress, on the date of submission of the Payment request
- **column 2** - *Activity: Constructions/Installations/Intangible assets* - shall be filled in with the denomination that corresponds to the type of expenses from the Agreement where the eligible asset is classified
- **column 3** - *Inventory no.* - shall be filled in with the inventory no., as it is mentioned in the Inventory register of fixed assets/assets
- **column 4** - *Denomination of the asset from the invoice* - shall be filled in with the denomination, as it is found in the invoice
- **columns 5-11** *Procurement invoice* shall be filled in with the data from the invoices related to the supplier name, the invoice no./date, the value with/without VAT

- **column 12** - *Account statement* - shall be filled in with the no. and date of the account statement document
- **columns 13-16** - *Paid value* - shall be filled in with the total paid value of the invoice, respectively with the eligible value paid that corresponds to the eligible asset
- **column 17** - *Foreign currency used* shall be filled in with the denomination of the currency
- **column 18** - *Exchange rate* - shall be filled in only for the invoices in foreign currency, the exchange rate used for registration in the accounting records in Lei
- **columns 19-20** - *Value registered in the accounting records* - shall be filled in with the value of the asset registered in the accounting records (exclusive of V.A.T.) in foreign currency (if the asset was purchased in foreign currency) and in Lei, according to the accounting notes
- **columns 21-22** - *Value registered in the accounting records* - shall be filled in with the eligible value that corresponds to the assets/rents for which financing is requested
- **column 23** - *Intensity according to the financing agreement* - shall be filled in with the value obtained by relating the value of State aid to the value of the eligible expenses provided in the approved financing agreement (the intensity approved in accordance with the agreement)
- **column 24** - *Requested State aid* - shall be filled in with the value of State aid requested for payment, respectively that obtained through application of the intensity to the value of eligible expenses for which the payment of State aid is requested

Company name: \_\_\_\_\_

Investment project denomination: \_\_\_\_\_

**Report on the selection of suppliers of tangible/intangible assets/services included in the Payment request of State aid no. ....**

- Statement on one’s own responsibility regarding the procurement under market conditions .....
- Statement on one’s own responsibility of the legal representative that the procurement of the assets within the group/from agreed third parties observes the principles of procurement under market conditions
- Note regarding the internal procedure of procurement and selection of suppliers of tangible/intangible assets or of services suppliers .....

Position/code	Name of the purchased asset	Award method of the agreement/order*	Invitations to tender/requests for tenders		Participation tenders			Final document of establishment of the selected supplier (no./date)	Selected supplier	Communication to the tenderers of the winning tender	Agreement/order (no./date)	Comments
			No./date	Company	No./date	Company	Name asset/service					
1	.....	.....	.....	.....	.....	.....	.....	.....	.....		.....	
			.....	.....	.....	.....	.....					
			.....	.....	.....	.....	.....					

I, the undersigned, \_\_\_\_\_ (first and last name of the legal representative of the enterprise, to be taken from the identity document thereof), identified with identity document series \_\_\_\_\_, no. \_\_\_\_\_, issued by \_\_\_\_\_ on \_\_\_\_\_, domiciled in the locality of \_\_\_\_\_, \_\_\_\_\_ street, building \_\_\_\_\_, entrance \_\_\_\_\_, apt. \_\_\_\_\_, district/county \_\_\_\_\_ (the information shall be taken from the identity document of the legal representative), in its capacity as legal representative of the enterprise \_\_\_\_\_ (the enterprise name is taken from the Ascertainig Certificate issued by the Trade Register Office), hereby declare on my own responsibility, subject to the enforcement of art. 326 - “False statements” in Law no. 286/2009 on the Criminal Code, as subsequently amended and supplemented, that all the documents and information supplied and registered in this document are accurate and complete.

**WARNING!**  
All the documents must be found at the seat of the company, in a complete and correct form.

\_\_\_\_\_  
\* e.g.: tender selection, open auction, etc.

Name: \_\_\_\_\_

*(the last name and first name of the legal representative of the enterprise shall be taken from the identity document)*

Position: \_\_\_\_\_

*(“administrator” shall be taken from the Ascertaining Certificate under the position “Attorneys-in-fact” or “attorney-in-fact”, if another person is delegated to elaborate the documentation provided by G.D. No. 07/2014, as subsequently amended and supplemented, by attaching to the file of the payment request a “Notarial power of attorney” in its original counterpart)*

Signature: \_\_\_\_\_

*(the request shall be signed by the legal representative)*

Signing date: \_\_\_\_\_

*(the signing date is the date when the legal representative signs the application)*

Company name: \_\_\_\_\_

Investment project denomination: \_\_\_\_\_

**Statement on one's own responsibility regarding the degree of implementation of the investment plan**

I, the undersigned....., identified with identity document series ....., no. ...., issued by ..... on....., residing in the locality of ....., ..... Street, building....., entrance..... apt....., district/county ....., in the capacity of legal representative of ....., hereby declare on my own responsibility that:

- By the date of the last payment request, ..... (beneficiary name) has made an initial investment amounting to .....Lei, which represents .....% of the degree of implementation of the investment plan (eligible and ineligible expenses), in accordance with the documentation which formed the basis of issuance of the Financing Agreement. The difference of ... % has not been implemented (reason)....., and it shall be implemented by.....
- The initial investment for which settlement is requested shall observe, at the end of the investment implementation schedule, the value of minimum 4.5 million Lei, in accordance with the provisions of art. 18 letter b) in G.D. No. 807/2014, as subsequently amended and supplemented.

I hereby declare on my own responsibility, subject to the enforcement of art. 326 - "False statements" in Law no. 286/2009 on the Criminal Code, as subsequently amended and supplemented, that all the documents and information supplied and registered in this document are exact and complete.

Name: \_\_\_\_\_

*(the last name and first name of the legal representative of the enterprise shall be taken from the identity document)*

Position: \_\_\_\_\_

*("administrator" shall be taken from the Ascertaining Certificate under the position "Attorneys-in-fact" or "attorney-in-fact", if another person is delegated to elaborate the documentation provided by G.D. No. 07/2014, as subsequently amended and supplemented, by attaching to the file of the payment request a "Notarial power of attorney" in its original counterpart)*

Signature: \_\_\_\_\_

*(the request shall be signed by the legal representative)*

Signing date: \_\_\_\_\_

*(the signing date is the date when the legal representative signs the application)*

**WARNING!**

**) The total value of an investment must be of minimum 4.5 million Lei.**

Total investment value = value of the investment plan that corresponds to the initial investment = value of eligible expenses + value of ineligible expenses - value of V.A.T.

Company name: \_\_\_\_\_

Investment project denomination: \_\_\_\_\_

**Statement on one's own responsibility regarding the assets for which payment of State aid is requested for request no. ....**

I, the undersigned....., identified with identity document series ....., no. ...., issued by ..... on....., residing in the locality of ....., ..... Street, building....., entrance..... apt....., district/county ....., in the capacity of legal representative of ....., hereby declare on my own responsibility that:

1. the assets for which payment of State aid is requested through this payment request:

- are new.
- are used exclusively by the beneficiary enterprise, in the location of the investment.
- are part of the technological flow that corresponds to the investment project, as approved by the Ministry of Public Finance.
- are used for the purpose of reaching the objectives of the investment project, as approved by the Ministry of Public Finance.

2. the assets settled through the previous requests:

- are not replaced, discarded, assigned, subleased
- are replaced, discarded, assigned, subleased

I hereby declare on my own responsibility, subject to the enforcement of art. 326 - "False statements" in Law no. 286/2009 on the Criminal Code, as subsequently amended and supplemented, that all the documents and information supplied and registered in this document are exact and complete.

Name: \_\_\_\_\_

*(the last name and first name of the legal representative of the enterprise shall be taken from the identity document)*

Position: \_\_\_\_\_

*("administrator" shall be taken from the Ascertaining Certificate under the position "Attorneys-in-fact" or "attorney-in-fact", if another person is delegated to elaborate the documentation provided by G.D. No. 07/2014, as subsequently amended and supplemented, by attaching to the file of the payment request a "Notarial power of attorney" in its original counterpart)*

Signature: \_\_\_\_\_

*(the request shall be signed by the legal representative)*

Signing date: \_\_\_\_\_

*(the signing date is the date when the legal representative signs the application)*