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Item 848

THE REGULATION OF THE MINISTER OF DEVELOPMENT FUNDS AND REGIONAL POLICY¹

of 4 June 2024

amending the regulation on granting *de minimis* aid and public aid under Interreg programmes for 2021-2027

Pursuant to Article 30(4) of the Act of 28 April 2022 on the principles of implementation of tasks financed from European funds in the financial perspective 2021-2027 (Journal of Laws, item 1079), it is ordered as follows:

Article 1. The following amendments shall be introduced to the Regulation of the Minister of Funds and Regional Policy of 11 December 2022 on the provision of *de minimis* aid and public aid under the Interreg programmes for 2021-2027 (Journal of Laws, item 2755, and of 2023, item 2502):

1) § 2 shall be amended to read as follows:

“§ 2. *De minimis* aid is granted in accordance with the rules set out in 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 (OJ EU L 2023/2831 of 15.12.2023), hereinafter referred to as ‘Regulation 2023/2831’.”;

2) in § 4, point 2 and § 6, the words “No. 1407/2013” shall be replaced by “2023/2831”;

3) in § 13(3), points 1 and 2 shall be replaced by the following:

“(1) copies of *de minimis* aid certificates and *de minimis* aid certificates for agriculture or *de minimis* aid certificates for fisheries that it has received during the period referred to in Article 3(2) of Regulation 2023/2831, or a declaration of the amount of such aid received during that period, or a declaration that it has not received such aid during that period;

2) information referred to in Article 37(1)(2) of the Act of 30 April 2004 on proceedings in public aid cases (Journal of Laws of 2023, item 702).”;

4) §14(2) shall be amended to read as follows:

“2. The entrepreneur shall, prior to signing the project co-financing contracts, submit to the aid provider:

1) copies of *de minimis* aid certificates and *de minimis* aid certificates for agriculture or *de minimis* aid certificates for fisheries that it has received during the period referred to in Article 3(2) of Regulation 2023/2831, or a declaration of the amount of such aid received during that period, or a declaration that it has not received such aid during that period,

2) information on the amount and purpose of public aid received in respect of the same eligible costs for which aid is to be granted

- concerning the period from the date of filing the application.”

5) § 15 shall be amended to read as follows:

“§ 15. *De minimis* aid shall be granted until the end of the eligibility period referred to in Article 63(2) of Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the

¹The Minister of Development Funds and Regional Policy heads the department of government administration - regional development, based on § 1 (2) of the Prime Minister's Decree of 18 December 2023 on the detailed scope of activities of the Minister of Development Funds and Regional Policy (Journal of Laws, item 2711).

Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy (OJ EU L 231, 30.06.2021, p. 159, as amended.²).”.

Article 2. 1. The existing provisions shall apply to the project co-financing contracts or agreements concluded before the date of entry into force of this Regulation, based on which *de minimis* aid referred to in § 1 of the Regulation amended pursuant to § 1 was granted.

2. The provisions of the Regulation amended pursuant to § 1, in the wording adopted in this Regulation, shall apply to project co-financing contracts or agreements concluded on and after the date of entry into force of this Regulation, based on applications for *de minimis* aid referred to in § 1 of the Regulation as amended in § 1, filed in proceedings initiated before that date.

3. The applications referred to in paragraph 2, which must be supplemented or corrected in the scope specified by the provisions of the Regulation amended in § 1, in the wording adopted in this Regulation, shall be supplemented or corrected upon request of the entity granting *de minimis* aid referred to in § 5 of the Regulation amended in § 1, within the time limit set by such entity, which may not be shorter than 14 days from the date of submitting the request.

Article 3. The regulation enters into force on the day following the date of promulgation.

The Minister of Development Funds and Regional Policy *K. Pełczyńska-Nałęcz*

² Amendments to the aforementioned regulation were announced in OJ EU L of 22.07.2021, p. 58, OJ EU L of 19.09.2022, p. 16, OJ EU L of 25.10.2022, p. 23, OJ EU L of 28.02.2023, p. 1, OJ EU L 2024/795 of 29.02.2024 and OJ EU L 2024/1351 of 22.05.2024.