

**STATUTORY DECLARATION IN RESPECT OF THE BREXIT ADJUSTMENT RESERVE, BREXIT BLUE  
ECONOMY ENTERPRISE DEVELOPMENT SCHEME**

I, .....<sup>1</sup> of .....  
.....<sup>2</sup> in the county of .....  
aged eighteen years and upwards do SOLEMNLY AND SINCERELY DECLARE as follows:-

1. I am a [sole trader working under the business name of .....  
...../member of ...../director of .....  
..... (the “Applicant”)<sup>3</sup>]. I can confirm that I am  
authorised by and on behalf of the Applicant to make this declaration and am doing so in  
relation to an application submitted, by the Applicant, to An Bord Iascaigh Mhara pursuant  
to the Brexit Blue Economy Enterprise Development Scheme.

2. I declare the Company<sup>4</sup> is at the date of this Declaration a Small or Medium Sized  
Enterprise (an SME) as defined in EU recommendation 2003/61 and meaning that it is an  
enterprise:

- With fewer than 50 employees; and
- Having either an annual turnover and/or an annual balance-sheet total not  
exceeding €10 million; and
- That is autonomous

as set out in the European Commission’s User Guide to the SME Definition<sup>5</sup>

3. I can confirm that the Applicant represents and warrants that it is not directly or indirectly,  
whether by way of its funding or its shareholding, affected by the European Council  
decisions, (2014/386/CFSP) and (2014/512/CFSP) imposing restrictive measures in  
respect of actions undermining or threatening the territorial integrity, sovereignty and  
independence of Ukraine.

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<sup>1</sup>Insert name

<sup>2</sup> Insert sole trader/member/director’s address.

<sup>3</sup> Insert name of applicant business/cooperative/company as appropriate.

<sup>4</sup> Company also includes the Parent Company if the applicant is part of a Group, a separate legal declaration is required for the parent company

<sup>5</sup> <https://op.europa.eu/en/publication-detail/-/publication/756d9260-ee54-11ea-991b-01aa75ed71a1>

4. I can confirm that by obtaining funding under the Brexit Blue Economy Enterprise Development Scheme, the Applicant will not have exceeded the relevant De Minimis Aid thresholds.<sup>6</sup>
5. I can confirm that the Applicant has engaged .....<sup>7</sup> (the “Accountants”) who have prepared and reviewed the financial statements of the Applicant dated .....  
.....<sup>8</sup>. These financial statements are appended to this declaration at **Appendix A<sup>9</sup>**.
6. I can further confirm that according to the financial statements, the Applicant is not insolvent and is currently trading as a going concern within the meaning of Paragraph 12 of Schedule 3 of the Companies Act 2014. I confirm that for the purposes of this declaration “insolvent” means unable to pay its debts as they fall due within the meaning of Section 570 of the Companies Act, 2014 <sup>10</sup>. I refer to a letter from the Accountants confirming the basis for this opinion which is appended to this declaration at **Appendix B<sup>11</sup>**.
7. I can confirm that if applying as a Start-Up entity, the Applicant has provided a business plan in the attached template together with the required financial projections.
8. I declare that as at the date of this declaration and at no time in the past 3 years has there been any legal proceedings taken against the Applicant which would or could impact on its solvency or otherwise be prejudicial to its financial position

I make this solemn declaration conscientiously believing the same to be true and accurate, for the satisfaction of **An Bord Iascaigh Mhara** pursuant to the provisions of the Statutory Declarations Act 1938.

**DECLARED** before me .....

**Practising Solicitor/Commissioner of Oaths/Notary Public/Qualified Accountant**  
(Please strike out as appropriate)

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<sup>6</sup> The total amount of *de minimis* aid to a single undertaking shall not exceed €200,000 over any period of 3 calendar years. Under the Commission Regulation 717/2014, the total amount of *de minimis* aid to a single undertaking in the fishery and aquaculture sector shall not exceed €30,000 over any period of 3 calendar years.

<sup>7</sup> Insert name of auditors or statutory accountants.

<sup>8</sup> Insert date of audited or unaudited financial statements. NB – financial statement must be dated within 24 months of application.

<sup>9</sup> If a start-up company, or if the grant is for less than EUR 50,000, paragraph 5 does not apply

<sup>10</sup> The test of insolvency is being unable to pay a debt due by the company of €10,000 or the value of the grant whichever is the lower, within 21 days of written demand for payment. Where this is not the case but the applicant regards themselves as being solvent an explanation must be provided.

<sup>11</sup> If a start-up company, a letter is required confirming the applicant is able to pay a debt due by the company of €10,000 as per footnote 10

Accountancy Body ..... if a Qualified Accountant

Membership Number ..... if a Qualified Accountant

by .....

Declarant/Applicant

[who is personally known to me]

[or: who is identified to me by .....

who is personally known to me]

at .....

in the City/County of.....

this ..... day of ..... 20....

\_\_\_\_\_  
**Practising Solicitor/Commissioner of Oaths/Notary Public/Qualified Accountant**  
(Please strike out as appropriate)

*Affix  
stamp/seal  
here*

## APPENDIX A

## APPENDIX B