

STATUTORY DECLARATION IN RESPECT OF THE BREXIT ADJUSTMENT RESERVE, FISHERIES
CO-OPERATIVE TRANSITION SCHEME 2023

STATUTORY DECLARATION¹

Insert Registered Name of the Applicant Co-operative (hereafter referred to as the Co-operative.)

.....

We the undersigned, SOLEMNLY AND SINCERELY DECLARE as follows:-

1. We are the current directors of the above-named Co-operative. We are authorised by the Co-operative to make this declaration. We are doing so in relation to an application submitted, by the Company, to An Bord Iascaigh Mhara pursuant to the Brexit Fisheries Cooperative Transition Scheme 2023.
2. We confirm that the Co-operative 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.
3. We can confirm that the Co-operative has engaged²(the “External Accountants”) who have prepared and reviewed the financial statements of the Co-operative for the years 2019 and 2022 which are submitted as required in support of this application.
4. We confirm that according to the financial statements and the enquiries made by us and by the Co-operative and the information given to us by the External Accountants, the Co-operative is not insolvent. We 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, 2014³ and/or having an excess of liabilities over assets in its balance sheet. I refer to a letter from the External Accountants confirming the basis for this opinion which is appended to this declaration in Appendix 1.
5. We declare that no director or shadow director or other officer has a conviction for an offence concerning professional misconduct, fraud, corruption, involvement in a criminal organisation, theft, money laundering or any other illegal activity where such illegal activity is detrimental to the European Union’s financial interests.
6. We declare that any payment received will not be distributed back to the member vessels but used solely for the operation of the Co-operative.
7. We declare there that Co-operative Directors have not taken dividends/payments to deliberately reduce turnover.

¹ A statutory declaration is a formal statement made affirming that something is true to the best knowledge of the person making the declaration. It has to be signed in the presence of a solicitor, commissioner for oaths or notary public.

² Insert name of External Accountants

³ The companies act test of insolvent is being unable to pay a debt due by the company of €10,000 within 21 days of written demand for payment. However, a company can also be “balance sheet” insolvent where it has an excess of liabilities over assets. Where this is the case In this situation, an explanation must be provided.

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We 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.

Signed (By the Current Directors of The Co-operative). Insert additional names below as required.

1 Director

2 Director

3 Director

4 Director

5 Director

6 Director

DECLARED before me

a commissioner for oaths / practising solicitor / notary public

by

Declarant/Applicant [who are personally known to me]

[or: who are identified to me by

who is personally known to me]

at

in the City/County of.....

this day of 20.....

Commissioner for Oaths/ Practising Solicitor/ Notary Public (Stamp /seal as appropriate)

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Appendix 1

External Accountant’s Statement

To be submitted on External Accountant’s Headed Paper.

Insert Registered Name of the Applicant Co-operative (hereafter referred to as the Co-operative.)

.....

I the undersigned confirm:

- That I am the External Accountant, as referred to in section 3 of the Statutory Declaration above.

- That the financial statements referred to in section 3 and submitted as part of the Brexit Fisheries Cooperative Transition Scheme 2023 application are the full final signed sets of accounts for the Co-operative relating to the financial years 2019 and 2022.

- That with reference to the aforementioned financial statements and with regard to section 4 of the attached statutory declaration, the Co-operative is solvent, commercially viable and not in financial difficulty.

- That the financial statements comply with the Department of Public Expenditure and Reform Circular 13/2014 – Management of and Accountability for Grants from Exchequer Funds. Where an applicant is required to file audited accounts with the Companies Registration Office (CRO), these accounts must detail the following information explicitly:
 - Name of Grantor ((Circular 13/2014 Section 5, subsection 21 (a))
 - Name of the Grant Scheme / Programme (Circular 13/2014 Section 5, subsection 21 (b))
 - Purpose of the Grant by appropriate heading (Circular 13/2014 Section 5, subsection 21 (c))
 - Accounting information for the Grant (Circular 13/2014 Section 5, subsection 21 (d))
 - Capital Grant information (if applicable) (Circular 13/2014 Section 5, subsection 21 (e))

Signed:

Print Name:

Accountancy Body Membership Number:

Stamp / seal as appropriate