

Growing Kent & Medway Business Sustainability Challenge

Subsidy Control Guidelines

Introduction

The Growing Kent & Medway (GKM) Business Sustainability Challenge provides funding in line with the UK's obligations and commitments to Subsidy Control.

If you are unsure about your obligations under the UK Subsidy Control regime you should take independent legal advice. We are unable to advise on individual eligibility or legal obligations.

We must make sure at all times that the support awarded to you is compliant with current Subsidy Control legislation applicable in the UK. If there are any changes to the above requirements that mean we need to change the terms of this project, we will tell you as soon as possible.

To be eligible for support from Growing Kent & Medway, we require that you declare amounts of subsidy and financial support previously received.

If you answered 'yes' to the question on receiving subsidy we are obliged to check if you are below the threshold to receive funding through this GKM scheme. To determine this we request that you provide data on two categories of subsidy as follows:

- 1) Subsidy or support as a result of Covid-19**

- 2) Subsidy or support that has been granted as "*de minimis*" aid, Small Amounts of Financial Assistance, Special Drawing Rights or Minimal Financial Assistance**

Potentially, any assistance or advantage you may have received from a public body over the last few years might have been provided as a subsidy under one or other of the subsidy control regimes listed above. Many of these schemes have existed over the last two to three years particularly following the UK's departure from the European Union. If you are in doubt about whether any previous funding you received is relevant, please include it.

It is more important to declare any support received rather than knowing the exact legal basis of that support.

The support you have received may have been from central, regional, devolved governments or agencies or a local council. Below is a list of possible forms of subsidy or state aid that might have been provided.

List of potential support provided as subsidy or state aid

The following are examples of possible forms of subsidy or state aid (note, this is not a comprehensive list).

It should give you an indication of common forms of aid which you may have been given:

- Grant from public bodies
- interest rate relief;
- tax relief;
- tax credits;
- State guarantees or holdings;
- State provision of goods or services on preferential terms;
- direct subsidies;
- tax exemptions;
- preferential interest rates;
- guarantees of loans on especially favourable terms;
- acquisition of land or buildings either gratuitously or on favourable terms;
- provision of goods and services on preferential terms;
- indemnities against operating losses;
- reimbursement of costs in the event of success;
- State guarantees, whether direct or indirect, to credit operations preferential re-discount rates;
- dividend guarantees;
- preferential public ordering;
- reduction of, or exemption from, charges or taxes, including accelerated depreciation and the reduction of social contributions;
- deferred collection of fiscal or social contributions;
- assistance financed by special levies;
- capital transfers;
- certain State holdings in the capital of undertakings.

Less obvious examples where subsidy or state aid might arise include:

- consultancy advice provided either free or at a reduced rate;
- advantages resulting from the activities of agencies for urban renewal;
- assistance to help companies invest in environmental projects;
- assistance to help a public enterprise prepare for privatisation;
- legislation to protect or guarantee market share;
- public private partnerships and contracts not open to competitive tendering;
- Receipt of landfill tax credit funding.

Some surprising examples of subsidy or state aid:

- free advertising on State owned television;
- infrastructure projects benefiting specific users.

If you answer ‘Yes’ to the related question on the application form you will be prompted to complete the following tables. **Please complete these via the online form – these are included here for information only.**

Growing Kent & Medway Business Sustainability Challenge - Subsidy Control Tables

For the purposes of this declaration subsidy or aid is granted to a single business (enterprise) which may include legal entities separate to the recipient (such as current or former subsidiaries).

After reviewing the subsidy control guidelines here please complete the following tables (as relevant) for your business financial years, covering:

- (a) the elapsed part of the current financial year, and
- (b) the two financial years immediately preceding the current financial year.

1) Have you received any subsidy or support as a result of Covid-19?

Please supply details of all Covid-19 support that you have previously received. If in doubt please include and we will be able to assess based on the information provided.

Date received (DD/MM/YYYY)	Amount (£)	Full name of Covid Support Scheme	Nature of assistance (Tax Relief, Grant, Loan, etc.)	Organisation providing the assistance/aid

Please insert additional rows if required.

2) Have you received any subsidy or support that has been granted as “de minimis” aid, Small Amounts of Financial Assistance, Special Drawing Rights or Minimal Financial Assistance?

Please supply details of all aid/ subsidy or grant funding that you have previously received. If in doubt please include and we will be able to assess based on the information provided.

Date received (DD/MM/YYYY)	Amount (£)	Full name of Support provided	Nature of assistance (Tax Relief, Grant, Loan, etc.)	Organisation providing the assistance/aid

Please insert additional rows if required.