



Subsidy Control Act 2022

2022 CHAPTER 23

PART 3

EXEMPTIONS

CHAPTER 2

MINIMAL OR SPEI FINANCIAL ASSISTANCE

Minimal financial assistance

37 Section 36: procedural requirements

- (1) Before giving minimal financial assistance, a public authority must give to the enterprise a minimal financial assistance notification.
- (2) A “minimal financial assistance notification” means a written statement—
 - (a) explaining that the authority is proposing to give to the enterprise a subsidy by way of minimal financial assistance,
 - (b) specifying the gross value amount of the assistance, and
 - (c) requesting written confirmation from the enterprise that the total amount specified in section 36(1) will not be exceeded by the enterprise receiving the proposed assistance.
- (3) The public authority may proceed to give the assistance only after it has received the confirmation referred to in subsection (2)(c).
- (4) On giving the assistance, the public authority must provide to the enterprise a minimal financial assistance confirmation.
- (5) A “minimal financial assistance confirmation” means a written statement confirming—
 - (a) that the subsidy is given as minimal financial assistance,

Changes to legislation: There are currently no known outstanding effects for the Subsidy Control Act 2022, Section 37. (See end of Document for details)

- (b) the date on which it is given, and
 - (c) the gross value amount of the assistance.
- (6) The enterprise must keep a written record detailing—
 - (a) that it has received a subsidy by way of minimal financial assistance,
 - (b) the date on which it was given, and
 - (c) the gross value amount of the assistance.
- (7) The record required by subsection (6) must be kept for at least three years beginning with the date mentioned in paragraph (b) of that subsection.
- (8) In this section—
 - “the enterprise” means the enterprise that receives, or would receive, minimal financial assistance;
 - “gross value amount” of minimal financial assistance means the gross cash amount (see subsection (5)(a) of section 36) or the gross cash equivalent (see subsection (5)(b) of that section).

Commencement Information

- I1** S. 37 not in force at Royal Assent, see [s. 91\(2\)](#)
- I2** [S. 37](#) in force at 4.1.2023 by [S.I. 2022/1359](#), [reg. 2](#)

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