**Funding Declaration**

The following declarations and confirmations are made by *[name of the Capacity Provider]* (the **"Capacity Provider")** with respect to the following CMU (the **"Relevant CMU"):**

*[Description of the CMU to be inserted]*

1. (i) *[no Relevant Expenditure has been, or will be, incurred];*

or

*[Relevant Expenditure has been incurred, or is expected to be incurred]* in respect of the Relevant CMU;

or

*[This Funding Declaration is provided pursuant to Rule 8.3.8(a)(ii) or Rule 8.3.8(b) in respect of a CMU which is in a Non-Dispatchable Generating Technology Class, and is only in respect of Relevant Benefit (where applicable)];*

1. [*no Relevant Benefit has been received, or will be, received*];

or

[*Relevant Benefit has been, or is expected to be received*] in respect of the Relevant CMU;

or

[*This Funding Declaration is provided in respect of a CMU which is not in a Non-Dispatchable Generating Technology Class, and is not in respect of Relevant Benefit]*;

*Where Relevant Expenditure has been, or will be, incurred*:

1. the total amount of the Relevant Expenditure that has been *[and/or]* *[will be],* incurred in respect of the Relevant CMU is *[insert amount];*
2. the date(s) that the Relevant Investment was *[and/or]* *[will be]* received was *[and/or]* *[is] [insert date(s)];*
3. *either:*

[the Relevant Investment was *[will be]* under [*the Enterprise Investment Scheme*], [*and/or*] [*the Seed Enterprise Investment Scheme*] and the name of the company that received the Relevant Investment as recorded in HM Revenue & Customs records in respect of that Relevant Investment is *[insert name]];*

or:

[the Relevant Investment was under the Venture Capital Trust and the name of the company that made the Relevant Investment is *[insert name]];* and

1. the Capacity Provider agrees for the total Relevant Expenditure incurred with respect to the Relevant CMU to be set off against or recovered from any Capacity Payments payable to the Capacity Provider in respect of the Relevant CMU, and no payment shall be made to the Capacity Provider until such amount has been set off or recovered in its entirety.

*Where Relevant Benefit has been, or will be, received*:

1. the total amount of Relevant Benefit that has been *[and/or] [will be]* received in respect of the Relevant CMU is [*insert total amount (described in pound sterling (£) including if granted in any form or currency other than pound sterling (£)) including where notice of the Relevant Benefit has been given*];
2. the notice of Relevant Benefit was given on [*insert date(s) for all aid granted where notice of the Relevant Benefit has been given but Relevant Benefit has not yet been granted*];
3. the Relevant Benefit was *[and/or] [will be]* received was *[and/or] [will be]* [*insert date/s for all aid granted/ to be granted*];
4. the Relevant Benefit is granted under the following scheme(s) or measure(s):

[*insert a numbered list containing a description of each scheme or measure under which the Relevant Benefit is granted*]

1. the name of the company/companies that received the Relevant Benefit *[under the scheme/s or measure/s described at [insert number] of the list in (a)(x)]* as recorded in HM Revenue & Customs records in respect of that Relevant Benefit is [*insert name(s)*] *[and/or] [*The name of the Person(s) other than a company/companies who received the Relevant Benefit *[under the scheme/s or measure/s described at [insert number] of the list in (a)(x)]* is [*insert name(s)*]; and
2. the Capacity Provider agrees for the total Relevant Benefit received with respect to the Relevant CMU to be set off against or recovered from any Capacity Payments payable to the Capacity Provider in respect of the Relevant CMU, so that no payment shall be made to the Capacity Provider until such amount has been set off or recovered in its entirety.

(b) The Capacity Provider hereby confirms that:

1. where Rule 8.3.8(a)(i) applies, the Capacity Provider will provide the Delivery Body with an updated Funding Declaration in respect of Relevant Expenditure incurred or due to be incurred required in accordance with that Rule;
2. where Rule 8.3.8(a)(ii) or Rule 8.3.8(b) apply, the Capacity Provider will provide the Delivery Body with an updated Funding Declaration and additional updated Funding Declaration required in accordance with those Rules;
3. the Capacity Provider consents, and has obtained the written consent of all other relevant persons, to the Authority and HM Revenue & Customs exchanging relevant information in relation to any Relevant Expenditure, Relevant Investment or Relevant Benefit for the sole purpose of the Authority exercising its functions under the Rules and the Regulations in connection with the Relevant Expenditure, or Relevant Benefit; and
4. in all respects, this Funding Declaration and each of the specific declarations referred to in paragraph (a) are true and correct and that this Funding Declaration has been authorised by the board of directors of the Capacity Provider.

“notice of Relevant Benefit”, “updated Funding Declaration”, “additional updated Funding Declaration” and capitalised terms used herein have the meaning given in the Capacity Market Rules 2014.

DATED: [dd/mm/yyyy][[1]](#footnote-1) DATED: [dd/mm/yyyy]1

Signed for an on behalf of

…………………. ………………….

Director Director

Print Name: Print Name:

To be executed by the signature of two directors, unless Rule 1.3A (inserted by the Capacity Market (Amendment) Rules 2014) applies.

1. Signatures need to be dated: The date for each signature is to be provided on the day in which the relevant director signs, in the format: day, month, year (dd/mm/yyyy). [↑](#footnote-ref-1)