

Supplementary Information Sheet on aid for restructuring firms in difficulty: Aid schemes

This supplementary information sheet must be used for the notification of any state aid in accordance with the art.2 in the Law no.143/1999 on the state aid, with the subsequent modifications and completions. It also must be used for any individual state aid or scheme notified to the Competition Council, from legal explanation reasons.

1. Eligibility

1.1. Is the scheme limited to firms that fulfil at least one of the eligibility criteria below:

1.1.1. Is the scheme limited to firms, where more than half their registered capital has disappeared and more than one quarter of that capital has been lost over the preceding 12 months?

☐ yes ☐ no

1.1.2. Are the firms unlimited companies, where more than half of their capital as shown in the company accounts has disappeared and more than one quarter of that capital has been lost over the preceding 12 months?

☐ yes ☐ no

1.1.3. Do the firms fulfil the criteria under domestic law for being the subject of collective insolvency proceedings?

☐ yes ☐ no

1.1.4. Is the scheme limited to rescuing small or medium-sized enterprises in difficulty which correspond to the national definition of SMEs?

☐ yes ☐ no

2 Return to viability

A restructuring plan must be implemented which must assure restoration of viability. At least the following information should be included:

2.1. Presentation of the different market assumptions arising from the market survey.

2.2. Analysis of the reason(s) why the firm has run into difficulty.

2.3. Presentation of the proposed future strategy for the firm and how this will lead to viability.

2.4. Complete description and overview.

2.5. Timetable for implementing the different measures and the final deadline for implementing the restructuring plan in its entirety.

2.6. Information on the production capacity of the company, and in particular on utilisation of this capacity, capacity reduction.

2.7. Full description of the financial arrangements for the restructuring, including:

- Use of capital still available;
- Sale of assets or subsidiaries to help finance the restructuring;
- Financial commitment by the different shareholders and third parties (like creditors, banks);
- Amount of public assistance and demonstration of the need for that amount;

2.8. Projected profit and loss accounts for the next five years with estimated return on capital and sensitivity study based on several scenarios;

2.9. Name(s) of the author(s) of the restructuring plan and date on which it was drawn up.

3. Avoidance of undue distortion of competition

Does the scheme provide that recipient firms must not increase their capacity during the restructuring plan?

yes

no

4. Aid limited to the minimum necessary

Describe how it will be assured that the aid granted under the scheme is limited to the minimum necessary.

5. One time, Last time

Is it excluded that recipient firms receive restructuring aid more than once over a period of ten years?

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yes

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no

All cases where this principle is not respected must be notified individually

6. Amount of aid

6.1 Please specify the maximum amount of the aid that can be awarded to any one firm as part of the restructuring operation:

6.2 Provide all relevant information on aid of any kind which may be granted to the firms eligible for receiving restructuring aid.

7. Annual report

7.1 Do you undertake to provide reports, at least on an annual basis, on the scheme's operation, containing the information specified in the Competition Council instructions on standardised reports?

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yes

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no

7.2 Do you undertake in such report to include a list of beneficiary firms with at least the following information:

- (a) the company name;
- (b) its sectoral code, using the CAEN two-digit sectoral classification codes;
- (c) the number of employees;
- (d) annual turnover and balance sheet value;
- (e) the amount of aid granted;
- (f) where appropriate, any restructuring aid, or other support treated as such, which it has received in the past;
- (g) whether or not the beneficiary company has been wound up or subject to collective insolvency proceedings before the end of the restructuring period.

☐ yes ☐ no

8. Other Information

Please indicate here any other information you consider relevant to the assessment of the measure(s) concerned under the Regulation regarding state aid for rescuing and restructuring firms in difficulty, published in the Official Gazette of Romania, Ist Part, no.470 on July the 2nd, 2002, with the subsequent modifications and completions.