

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

*This supplementary information sheet must be used for the notification of any aids covered by the art.2 in the Law. It also shall be used for any individual state aid or scheme notified to the Competition Council due to the law interpreting.*

### 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 Community definition of SMEs?

☐ yes ☐ no

### 2. Return to viability

It must be implemented a restructuring plan to insure the return to viability. The following information should be included:

2.1. The presentation of the different forecasted evolutions of the market based on the market study.

2.2. Analysis of the reasons that led the firm into difficulty.

2.3. Presentation of the proposals on the firm's future strategy and the means to reach the viability.

2.4. Complete description and overview of the different planned restructuring measures and their costs.

2.5. The schedule for implementing different measures and the time limit to totally implement the restructuring plan.

2.6. Information on the company's production capacity, especially its utilization, capacity reductions.

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

- using the capital still available;
- assets or subsidiaries selling to support the financial restructuring;
- financial engagements assumed by different shareholders and third parties (such as debtors, banks, etc);
- the value of the public support and proving its necessity.

2.8. The forecasted profit and the losses' accountability for the next 5 years with the estimated returned capital and sensitivity study, based on several scenarios.

2.9. Name of the author/authors of the restructuring plan and the date when it was elaborated.

### **3. Avoidance of the unduly distort of competition**

Does the scheme provide that the beneficiary firms shall not increase their capacity during the restructuring period?

☐ yes ☐ no

### **4. State aid limited at minimum necessary**

Describe how it shall be insured that the aid granted within the scheme will be limited at the minimum necessary?

### **5. The first time- last time principle**

Is it exempted that the beneficiary firms receive restructuring aid more than once in a 10 year period?

☐ yes ☐ no

All cases when this principle isn't fulfilled must be individually notified.

### **6. Value of the aid**

2.1. Specify the maximum amount of aid that can be granted to any firm as part of the restructuring operation.

2.2. Supply all relevant information on any type of aid that can be granted to the firms eligible to receive restructuring state aid.

## 7. Annual report

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

☐ yes ☐ no

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

- (a) the company name;
- (b) its sectoral code, using the NACE<sup>1</sup> 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 on aid for rescuing and restructuring firms in difficulty, published in the Official Monitor of Romania, Ist Part, no.470 on July the 2<sup>nd</sup>, 2002, with the subsequent modifications and completions.

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<sup>1</sup> Statistical classification of economic activities in the European Community, published by the Statistical Office of the European Communities.