

## Supplementary information sheet on aid for restructuring firms in difficulty in the aviation sector

*This supplementary information sheet must be used for the notification of an individual State aid for airlines restructuring subject of the Regulation on the state aid for rescuing and restructuring firms in difficulty and of the Guidelines on the authorization of the state aid in the airtransport field<sup>1</sup>.*

### 1. Eligibility

- 1.1. Is the firm a limited company, where more than half of its registered capital has disappeared and more than one quarter of that capital has been lost over the preceding 12 months?

☐ yes                      ☐ no

- 1.2. Is the firm an unlimited company, where more than half of its 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

- 1.3. Does the firm fulfil the criteria under domestic law for being the subject of collective insolvency proceedings?

☐ yes                      ☐ no

If you have answered yes on any of the above questions, please attach the relevant documents (latest profit and loss account with balance sheet, or court decision opening an investigation into the company under national company law)

If you have answered no to all of the above questions, please submit evidence supporting that the firm is in difficulties and thus eligible for rescue aid.

- 1.4. When has the firm been created? .....

- 1.5. Since when is the firm operating? .....

- 1.6. Does the company belong to a larger business group?

☐ yes                      ☐ no

If you have answered yes, please submit full details about the group (organisation chart, showing the links between the group's members with details on capital and voting rights) and attach proof that the company's difficulties are its own and are not the result of an arbitrary allocation of costs within the group and that the difficulties are too serious to be dealt with by the group itself.

- 1.7. Has the firm (or the group to which it belongs) in the past received any restructuring aid?

---

<sup>1</sup> The Order of the Competition Council's President no.176/24.10.2003, published in the Official Monitor of Romania no.806/17.11.2003

☐ yes ☐ no

If yes, please provide full details (date, amount, reference to previous Commission decision if applicable, etc.).

## **2. Restructuring plan**

- 2.1. Please supply a copy of the survey of the market(s) served by the firm in difficulty, with the name of the organisation which carried it out. The market survey must give in particular:
  - 2.1.1. A precise definition of the product and geographical market(s).
  - 2.1.2. The names of the company's main competitors with their shares of the world, Community or domestic market, as appropriate.
  - 2.1.3. The evolution of the company's market share in recent years.
  - 2.1.4. An assessment of total production capacity and demand at Community level, concluding whether or not there is excess capacity on the market.
  - 2.1.5. Community-wide forecasts for trends in demand, aggregate capacity and prices on the market over the five years ahead.
- 2.2. Please attach the restructuring plan. As aid must form part of a comprehensive restructuring programme, at least the following information should be included:
  - 2.2.1. Presentation of the different market assumptions arising from the market survey.
  - 2.2.2. Analysis of the reason(s) why the firm has run into difficulty.
  - 2.2.3. Presentation of the proposed future strategy for the firm and how this will lead to viability.
  - 2.2.4. Complete description and overview of the different restructuring measures planned and their cost.
  - 2.2.5. Timetable for implementing the different measures and the final deadline for implementing the restructuring plan in its entirety.
  - 2.2.6. Information on the production capacity of the company, and in particular on utilisation of this capacity and capacity reductions.
  - 2.2.7. 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;
  - 2.2.8. Projected profit and loss accounts for the next five years with estimated return on capital and sensitivity study based on several scenarios;

- 2.2.9. Commitment of the Member State authorities not to grant any further aid to the firm;
  - 2.2.10. Commitment of the Member State authorities not to interfere in the management of the company other than due to ownership rights and allowing the company to be run according to commercial principles;
  - 2.2.11. Commitments taken by the Member State authorities in order to limit the aid to the purposes of the restructuring programme and to prevent the firm to acquire shareholdings in other air carriers during the restructuring period;
  - 2.2.12. Name(s) of the author(s) of the restructuring plan and date on which it was drawn up.
- 2.3. Describe the compensatory measures proposed with a view to mitigating the distortive effects on competition at Community level and especially the impact of the capacity and offer reduction contained in the restructuring plan of the firm on its competitors.
  - 2.4. Provide all relevant information on aid of any kind granted to the firm receiving restructuring aid, whether under a scheme or not, until the restructuring period comes to an end.
  - 2.5. Provide all relevant information to describe the modalities of transparency and control scheduled for the notified measure.