

## PART III. SUPPLEMENTARY INFORMATION SHEETS

### Part III.4 c

#### Provisional Supplementary Information Sheet on regional operating aid schemes

Document version: May 2014

This supplementary information sheet is not mandatory. It is, however, recommended that it is completed, in addition to the 'General information' form, for the notification of any operating aid schemes covered by the Guidelines on regional State aid 2014-2020.<sup>1</sup>

#### 1. SCOPE

1.1. Please specify what kind of operating aid your authorities wish to grant:

- ☐ Operating aid to reduce certain specific difficulties faced by SMEs in "a" areas
- ☐ Operating aid to compensate additional costs in the outermost regions
- ☐ Operating aid to reduce depopulation in very sparsely populated areas
- ☐ Other. Please specify:

...

1.2. Does the notified aid scheme provide that no operating aid will be granted to categories of companies and sectors listed below? In each case, please list the relevant provision in the legal basis of the scheme.

Excluded categories of companies and sectors		Relevant provision in the legal basis of the scheme
Firms in difficulty <sup>2</sup>		
The steel sector <sup>3</sup>	<input type="checkbox"/> Yes	
Synthetic fibres sector <sup>4</sup>	<input type="checkbox"/> Yes	
Production of agricultural products listed in Annex I to the TFEU	<input type="checkbox"/> Yes	
Processing and/or marketing of agricultural products listed in Annex I to the TFEU <sup>5</sup> into products listed in Annex I	<input type="checkbox"/> Yes	
Production, processing and/or marketing of fisheries and/or aquaculture products listed in Annex I to the	<input type="checkbox"/> Yes	

<sup>1</sup> Guidelines on regional State aid for 2014-2020 (OJ C 209, 23.07.2013, p.1)

<sup>2</sup> As defined in the Community guidelines on state aid for Rescuing and Restructuring firms in difficulty OJ C 288, 9.10.1999, p. 2.

<sup>3</sup> As defined in Annex IV of Guidelines on regional State aid for 2014-2020 (OJ C 209, 23.07.2013, p.1) .

<sup>4</sup> As defined in Annex IV of Guidelines on regional State aid for 2014-2020 (OJ C 209, 23.07.2013, p.1).

<sup>5</sup> These Regional Aid Guidelines apply to aid schemes supporting activities outside the scope of Article 42 of the Treaty but covered by the Rural Development Regulation and are either co-financed by the European Agriculture Fund for Rural Development or are being granted as an additional national financing to such co-financed schemes, unless sectoral rules provide for otherwise.

TFEU		
The transport sector	<input type="checkbox"/> Yes	
The energy sector	<input type="checkbox"/> Yes	
Section K "Financial and insurance activities" of the NACE Rev.2 statistical classification of economic activities	<input type="checkbox"/> Yes	
70.10 'Activities of head offices' and 70.22 'Business and other management consultancy activities'	<input type="checkbox"/> Yes	

## 2. BASIC ELEMENTS OF THE SCHEME

2.1. Please provide a description of the main elements of the scheme and its objectives:

...

2.2. Please indicate which forms of aid are allowed under the scheme:

☐ Grants. Please provide the reference to the relevant provisions of the legal basis:

...

☐ Soft loans. Please indicate how the grant equivalent will be calculated and provide the reference to the relevant provisions of the legal basis:

...

☐ Guarantees. Please indicate how the grant equivalent will be calculated and provide the reference to the relevant provisions of the legal basis:

...

☐ Tax measures. Please specify which ones and indicate how the grant equivalent will be calculated. Please also provide the reference to the relevant provisions of the legal basis:

...

☐ Other. Please specify and indicate how the grant equivalent will be calculated. Please also provide the reference to the relevant provisions of the legal basis:

....

2.3. The individual aid under the notified scheme will be granted:

☐ automatically, should the conditions of the scheme be fulfilled

☐ discretionary, following a decision of the authorities.

Should the aid be granted on a case by case basis, please provide a short description of the criteria followed and attach a copy of the administrative provisions applicable for the awarding of aid:

...

- 2.4. Will the aid scheme be co-financed by the ESI Funds? If so, please explain under which operational programmes ESI Funds finance will be obtained. Please also indicate the amount of ESI Funds finance that will be involved.

...

### **3. COMPATIBILITY OF THE AID**

#### **3.1. Contribution to regional objective and incentive effect:**

*For aid to reduce certain specific difficulties faced by SMEs<sup>6</sup> in "a" areas:*

- 3.1.1. Please define the specific difficulties faced by SMEs in the region concerned to be addressed by the scheme (§43 RAG) and demonstrate the existence and importance of these difficulties (§ 44 RAG).

...

- 3.1.2. Please explain why these difficulties cannot be overcome by investment aid and thus the notified operating aid scheme is needed (§44 RAG):

...

*For aid to compensate certain additional costs in the outermost regions:*

- 3.1.3. Please identify the specific additional costs<sup>7</sup> that will be compensated under the scheme and demonstrate how these costs are related to the permanent handicaps set out in Article 349 of the Treaty (§45 RAG):

...

*For aid to reduce depopulation in very sparsely populated areas:*

- 3.1.4. Please demonstrate the risk of depopulation of the relevant area in the absence of operating aid (§46 RAG):

...

#### **3.2. Appropriateness of the scheme**

<sup>6</sup> 'SMEs' means undertakings that fulfil the conditions laid down in Commission recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises - OJ L 124, 20.5.2003, p. 36.

<sup>7</sup> In this respect please note that operating aid to compensate for additional transport costs of goods which have been produced in areas eligible for operating aid can only be granted in compliance with the General Block Exemption Regulation ("GBER") in place at the moment of the granting.

- 3.2.1. Please indicate why you consider that the aid that you propose is appropriate to achieve the objective of the scheme. Please explain in particular why other less distortive policy instruments and other less distortive types of aid instrument are not appropriate to achieve the same positive contribution to regional development (§§50, 56, 57, 58 RAG):

...

### **3.3. Proportionality of the scheme**

#### ***For all types of operating aid:***

- 3.3.1. Please determine the eligible costs that are fully attributable to the problems the aid is intended to address (§109 RAG):

...

- 3.3.2. Please confirm that depreciation charges and the costs of financing included in the eligible costs relevant to regional investment aid, will not be included in the eligible costs for operating aid (§109 RAG), and provide the reference to the relevant provision of the legal basis:

...

- 3.3.3. Please describe the compensation model (§56 RAG) that will be adopted and how this model will allow an appropriate calculation of the aid amount, ensuring that there is no overcompensation, as defined in §109 of the RAG:

...

- 3.3.4. Please indicate whether operating aid is also granted through other operating aid schemes in the region, by mentioning the relevant State aid reference of these schemes.

...

In case other operating aid schemes are applicable in the same region, please explain how it is ensured that operating aid granted under different operating aid schemes does not lead to overcompensation:

...

#### ***For operating aid in outermost regions only:***

- 3.3.5. Please demonstrate that the additional costs to be compensated under the notified scheme will be quantified in relation to the level of costs incurred by similar undertakings established in other regions of the Member State concerned (§110 RAG):

...

***For operating aid to reduce certain specific difficulties faced by SMEs in certain "a" areas only:***

3.3.6. Please explain how the level of aid will be progressively reduced over the duration of the scheme (§111 RAG) and provide the reference to the relevant provision of the legal basis:

...

### **3.4. Avoidance of undue negative effects on competition and trade**

Please explain why it is unlikely that the aid granted under the scheme will create very significant distortions of competition in the market (§140 RAG):

...

### **3.5. Transparency**

3.5.1. Please provide references to the corresponding provisions in the legal basis stipulating that the granting authority should publish on a central website, or on a single website retrieving information from several websites (for example, regional websites), at least the following information on the notified State aid schemes: the text of the notified aid scheme and its implementing provisions, granting authority, individual beneficiaries, aid amount per beneficiary, and aid intensity. (§141 RAG)

Should such provisions not be in place, please explain why not.

...

3.5.2. Please provide references to the corresponding provisions in the legal basis stipulating that the above-mentioned information will be made available for the general public without restrictions for at least 10 years from the date of award of the aid. (§141 RAG)

...

## **4. EVALUATION, REPORTING AND MONITORING**

### **4.1. Evaluation**

4.1.1. Please indicate whether the notified scheme is considered for ex post evaluation (§144 RAG), according to the rules specified in the RAG or in the general block exemption regulation, in particular whether the scheme is:

- ☐ A scheme with large aid budgets;
- ☐ A scheme containing novel characteristics;
- ☐ A scheme where significant market, technology or regulatory changes can be foreseen;

☐ A scheme that you plan for evaluation even if the above criteria do not apply.

If any of the above criteria is fulfilled, please indicate the period of evaluation and provide the draft evaluation plan in annex<sup>8</sup>.

...

☐ The scheme is not considered for evaluation.

In this case, please explain why you consider the criteria for obligatory evaluation not to be fulfilled.

...

4.1.2. Please indicate whether any ex-post evaluation has already been carried out for a similar scheme (where relevant, with a reference and a link)

...

## 4.2. Reporting and Monitoring

4.2.1. Please confirm you will transmit to the Commission information on each individual aid exceeding EUR 3 million granted under a scheme, in the format laid down in Annex VI to the RAG, within 20 working days from the day on which the aid is granted.

☐ Yes

Please confirm that in accordance with Council Regulation (EC) N) 659/1999 of 22 March 1999, as amended by Regulation 734/2013, laying down detailed rules for the application of Article 108 TFEU and Commission Regulation (EC) No 794/2004 of 21 April 2004 implementing Regulation (EC) No 659/1999, as amended, the annual reports will be submitted to the Commission.

☐ Yes

Please confirm that you will maintain for at least 10 years from the date of award of the aid detailed records containing the information and supporting documentation necessary to establish that all compatibility conditions are met, and that these records must be provided to the Commission upon request.

☐ Yes

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<sup>8</sup> For guidance see the draft Methodological Guidance Paper for Evaluation in the field of State aid: [http://ec.europa.eu/competition/consultations/2013\\_state\\_aid\\_modernisation/index\\_en.html](http://ec.europa.eu/competition/consultations/2013_state_aid_modernisation/index_en.html).