

ANNEX I

<p>Standard form for notification of State aids pursuant to Article 88 (3) EC Treaty and for the provision of information on unlawful aid</p>

This form shall be used by Member States for the notification pursuant to Article 88(3) EC Treaty of new aid schemes and individual aid. It shall also be used when a non-aid measure is notified to the Commission for reasons of legal certainty.

Member States are also requested to use this form when the Commission requests comprehensive information on alleged unlawful aid.

The present form consists of three parts:

- I. General Information:** to be completed in all cases
- II. Summary Information for publication in the Official Journal**
- III. Supplementary Information Sheet depending on the type of aid**

Please note that failure to complete this form correctly may result in the notification being returned as incomplete. The completed form shall be transmitted on paper to the Commission by the Permanent Representative of the Member State concerned. It shall be addressed to the Secretary General of the Commission.

If the Member State intends to avail itself of a specific procedure laid down in any regulations, guidelines, frameworks and other texts applicable to State aid, a copy of the notification shall be as well addressed to the Director General of the Commission department responsible.

PART I. GENERAL INFORMATION

STATUS OF THE NOTIFICATION

Does the information transmitted on this form concern:

- ☐ **a notification pursuant to Article 88 (3) EC Treaty?**
- ☐ **a possible unlawful aid¹?**

If yes, please specify the date of putting into effect of the aid. Please complete this form, as well as the relevant supplementary forms.

- ☐ **a non-aid measure which is notified to the Commission for reasons of legal certainty?**

Please indicate below the reasons why the notifying Member State considers that the measure does not constitute State aid in the meaning of Article 87(1) EC Treaty. Please complete the relevant parts of this form and provide all necessary supporting documentation.

A measure will not constitute State aid if one of the conditions laid down in Article 87(1) EC Treaty is not fulfilled. Please provide a full assessment of the measure in the light of the following criteria focusing in particular on the criterion which you consider not to be met:

- ✓ No transfer of public resources (*For example, if you consider the measure is not imputable to the State or where you consider that regulatory measures without transfer of public resources will be put in place*)
- ✓ No advantage (*For example, where the private market investor principle is respected*)
- ✓ No selectivity/specificity (*For example, where the measure is available to all enterprises, in all sectors of the economy and without any territorial limitation and without discretion*)
- ✓ No distortion of competition / no affectation of intra-community trade (*For example, where the activity is not of an economic nature or where the economic activity is purely local*)

¹ According to Article 1(f) of Council Regulation (EC) No 659/1999 of 22 March 1999 laying down detailed rules for the application of Article 93 of the EC Treaty (OJ L 83, 27.3.1999, p. 1) (hereinafter "Procedural Regulation"), unlawful aid shall mean new aid put into effect in contravention of Article 88(3) of the EC-Treaty.

1. IDENTIFICATION OF THE AID GRANTOR

1.1. Member State concerned

.....

1.2. Region(s) concerned (if applicable)

.....

1.3.

.....

Responsible contact person:

Name :
Address :
Telephone :
Fax :
E-mail :

1.4. Responsible contact person at the Permanent Representation

Name :
Telephone :
Fax :
E-mail :

1.5. If you wish that a copy of the official correspondence sent by the Commission to the Member State should be forwarded to other national authorities, please indicate here their name and address:

Name :
Address :
.....
.....

1.6. Indicate Member State reference you wish to be included in the correspondence from the Commission

2. IDENTIFICATION OF THE AID

2.1. Title of the aid (or name of company beneficiary in case of individual aid)

.....

2.2. Brief description of the objective of the aid.

Please indicate primary objective and, if applicable, secondary objective(s) :

	Primary objective (please tick <u>one</u> only)	Secondary objective ²
✓ Regional development	<input type="checkbox"/>	<input type="checkbox"/>
✓ Research and development	<input type="checkbox"/>	<input type="checkbox"/>
✓ Environmental protection	<input type="checkbox"/>	<input type="checkbox"/>
✓ Rescuing firms in difficulty	<input type="checkbox"/>	<input type="checkbox"/>
✓ Restructuring firms in difficulty	<input type="checkbox"/>	<input type="checkbox"/>
✓ SMEs	<input type="checkbox"/>	<input type="checkbox"/>
✓ Employment	<input type="checkbox"/>	<input type="checkbox"/>
✓ Training	<input type="checkbox"/>	<input type="checkbox"/>
✓ Risk capital	<input type="checkbox"/>	<input type="checkbox"/>
✓ Promotion of export and internationalisation	<input type="checkbox"/>	<input type="checkbox"/>
✓ Services of general economic interest	<input type="checkbox"/>	<input type="checkbox"/>
✓ Sectoral development ³	<input type="checkbox"/>	<input type="checkbox"/>
✓ Social support to individual consumers	<input type="checkbox"/>	<input type="checkbox"/>
✓ Compensation of damage caused by natural disasters or exceptional occurrences	<input type="checkbox"/>	<input type="checkbox"/>
✓ Execution of an important project of common European interest	<input type="checkbox"/>	<input type="checkbox"/>
✓ Remedy for a serious disturbance in the economy	<input type="checkbox"/>	<input type="checkbox"/>
✓ Heritage conservation	<input type="checkbox"/>	<input type="checkbox"/>
✓ Culture	<input type="checkbox"/>	<input type="checkbox"/>

² A secondary objective is one for which, in addition to the primary objective, the aid will be exclusively earmarked. For example, a scheme for which the primary objective is research and development may have as a secondary objective small and medium-sized enterprises (SMEs) if the aid is earmarked exclusively for SMEs. The secondary objective may also be sectoral, in the case for example of a research and development scheme in the steel sector.

³ Please specify sector in point 4.2.

2.3. Scheme - Individual aid⁴

2.3.1. Does the notification relate to an aid scheme?

☐ yes ☐ no

➤ If yes, does the scheme amend an existing aid scheme?

☐ yes ☐ no

➤ If yes, are the conditions laid down for the simplified notification procedure pursuant to Article 4(2) of the Implementation Regulation (EC) N° (...) of (...) fulfilled?

☐ yes ☐ no

➤ If yes, please use and complete the information requested by the simplified notification form (see Annex II).

➤ If no, please continue with this form and specify whether the original scheme which is being amended was notified to the Commission.

☐ yes ☐ no

➤ If yes, please specify:

Aid number:

.....

Date of Commission approval (reference of the letter of the Commission (SG(..)D/...):

.../.../.....

Duration of the original scheme:.....

Please specify which conditions are being amended in relation to the original scheme and why:.....

2.3.2 Does the notification relate to individual aid?

☐ yes ☐ no

➤ If yes, please tick the following appropriate box

☐ aid based on a scheme which should be individually notified

Reference of the authorised scheme:

Title :

Aid number :

Letter of Commission approval :

☐ individual aid not based on a scheme

⁴ According to Article 1(e) of Council Regulation (EC) No 659/1999 of 22 March 1999 laying down detailed rules for the application of Article 93 of the EC Treaty (OJ L 83, 27.3.1999, p. 1), individual aid shall mean aid that is not awarded on the basis of an aid scheme and notifiable award of aid on the basis of a scheme.

2.3.3. Does the notification relate to an individual aid scheme notified pursuant to an exemption regulation? If yes, please tick the following appropriate box:

- ☐ Commission Regulation (EC) No 70/2001 on the application of Articles 87 and 88 EC Treaty to State aid to small and medium-sized enterprises⁵. Please use the supplementary information sheet under part III, 1
- ☐ Commission Regulation No 68/2001 on the application of Articles 87 and 88 EC Treaty to training aid⁶. Please use the supplementary information sheet under part III, 2
- ☐ Commission Regulation (EC) No 2204/2002 on the application of Articles 87 and 88 EC Treaty to State aid for employment⁷. Please use the supplementary information sheet under part III, 3
- ☐ Commission Regulation (EC) No 1/2004 on the application of Articles 87 and 88 EC Treaty to State aid to small and medium-sized enterprises active in the production, processing and marketing of agricultural products (OJ L 1 of 03.01.2004).

3. NATIONAL LEGAL BASIS

3.1. Please list the national legal basis including the implementing provisions and their respective sources of references:

Title:.....
.....
.....
.....

⁵ Commission Regulation (EC) No 70/2001 of 12 January 2001 on the application of Articles 87 and 88 of the EC Treaty to State aid to small and medium sized enterprises, OJ L 10, 13.1.2001, p. 33., as amended by Commission Regulation (EC) 364/2004, OJ L 364/2004 of 28.02.2004, p. 27

⁶ Commission Regulation (EC) No 68/2001 of 12 January 2001 on the application of Articles 87 and 88 of the EC Treaty to State aid to training aid, OJ L 10, 13.1.2001, p. 20, as amended by Commission Regulation (EC) 363/2004, OJ L 63 of 28.02.2004 p. 20

⁷ Commission Regulation (EC) No 2204/2002 of 12 December 2002 on the application of Articles 87 and 88 of the EC Treaty to State aid for employment, OJ L 337, 13.12.2002, p. 3 and OJ L 349, 24.12.2002, p. 126.

Reference (where applicable):
.....
.....

3.2. Please indicate the document(s) enclosed with this notification:

- ☐ A copy of the relevant extracts of the final text(s) of the legal basis (and a web link, if possible)
- ☐ A copy of the relevant extracts of the draft text(s) of the legal basis (and a web link, if existing)

3.3. In case of a final text, does the final text contain a clause whereby the aid granting body can only grant after the Commission has cleared the aid (stand still clause)?

☐ yes ☐ no

4. BENEFICIARIES

4.1. Location of the beneficiary(ies)

- ☐ in (an) unassisted region(s)
- ☐ in (a) region(s) eligible for assistance under Article 87(3)(c) EC Treaty (specify at NUTS-level 3 or lower)
- ☐ in (a) region(s) eligible for assistance under Article 87(3)(a) EC Treaty (specify at NUTS-level 2 or lower)
- ☐ mixed: specify

4.2. Sector(s) of the beneficiary(ies):

- ☐ Not sector specific
- ☐A Agriculture
- ☐B Fisheries
- ☐C Mining and Quarrying
- ☐10.1 Coal
- ☐D Manufacturing industry
- ☐17 Textiles
- ☐21 Pulp and paper
- ☐24 Chemical and pharmaceutical industry
- ☐24.7 Man-made fibres
- ☐27.1 Steel ⁸
- ☐29 Industrial machinery
- ☐DL Electrical and optical equipment
- ☐34.1 Motor vehicles

⁸ Annex B to the Communication from the Commission: "Multisectoral framework on regional aid for large investment projects", OJ C 70, 19.3.2002, p. 8.

- ☐35.1 Shipbuilding
☐ Other Manufacturing sector, please specify:.....
☐E Electricity, gas and water supply
☐F Construction
☐52 Retail Services
☐H Hotels and restaurants (Tourism)
☐I Transport
☐60 Land transport and transport via pipelines
☐60.1 Railways
☐60.2 Other land transport
☐61.1 Sea and coastal water transport
☐61.2 Inland water transport
☐62 Air transport
☐64 Post and telecommunications
☐J Financial intermediation
☐72 Computer and related activities
☐92 Recreational, cultural and sporting activities
☐ Other, please specify according to NACE rev. 1.1 classification⁹:

4.3. In case of an individual aid:

Name of the beneficiary :

Type of beneficiary :

☐ SME

Number of employees :

Annual turnover :

Annual balance-sheet :

Independence :

(please attach a solemn declaration in line with the Commission Recommendation on SME¹⁰ or provide any other evidence to demonstrate the above criteria):

.....

☐ large enterprise

☐ firm in difficulties¹¹

4.4. In case of an aid scheme:

Type of beneficiaries:

☐ all firms (large firms and small and medium-sized enterprises)

⁹ NACE Rev.1.1 is the Statistical classification of economic activities in the European Community.

¹⁰ Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises, OJ L 124, 20.5.2003, p. 36 and Commission Regulation (EC) No 364.../2004 amending Regulation (EC) No 70/2001 as regards the extension of its scope to include aid for research and development.

¹¹ As defined in the Community Guidelines for rescuing and restructuring firms in difficultiesn OJCE C 288 of 9.10.1999, p. 218.

- ☐ only large enterprises
- ☐ small and medium-sized enterprises

- ☐ medium-sized enterprises
- ☐ small enterprises
- ☐ micro enterprises

☐ the following beneficiaries:.....

Estimated number of beneficiaries :

- ☐ under 10
- ☐ from 11 to 50
- ☐ from 51 to 100
- ☐ from 101 to 500
- ☐ from 501 to 1000
- ☐ over 1000

5. AMOUNT OF AID / ANNUAL EXPENDITURE

In case of an individual aid, indicate the overall amount of each measure concerned:

.....
In case of a scheme, indicate the annual amount of the budget planned and the overall amount (in national currency):

.....
For tax measures, please indicate the estimated annual and overall revenue losses due to tax concessions for the period covered by the notification:

.....
If the budget is not adopted annually, please specify what period it covers:

.....
If the notification concerns changes to an existing scheme, please give the budgetary effects of the notified changes to the scheme:

6. FORM OF THE AID AND MEANS OF FUNDING

Specify the form of the aid made available to the beneficiary (where appropriate, for each measure):

- ☐ Direct grant
- ☐ Soft loan (including details of how the loan is secured)
- ☐ Interest subsidy
- ☐ Tax advantage (e.g. tax allowance, tax base reduction, tax rate reduction, tax deferment).
Please specify:
- ☐ Reduction of social security contributions
- ☐ Provision of risk capital
- ☐ Debt write-off
- ☐ Guarantee (including amongst others information on the loan or other financial transaction covered by the guarantee, the security required and the premium to be paid)
- ☐ Other. Please specify:.....

For each instrument of aid, please give a precise description of its rules and conditions of application, including in particular the rate of award, its tax treatment and whether the aid is accorded automatically once certain objective criteria are fulfilled (if so, please mention the criteria) or whether there is an element of discretion by the awarding authorities.

.....
Specify the financing of the aid: if the aid is not financed through the general budget of the State/region/municipality, please explain its way of financing:

- ☐ Through parafiscal charges or taxes affected to a beneficiary, which is not the State. Please provide full details of the charges and the products/activities on which they are levied. Specify in particular whether products imported from other Member States are liable to the charges. Annex a copy of the legal basis for the imposition of the charges.....

- ☐ Accumulated reserves
☐ Public enterprises
☐ Other (please specify)

7. DURATION

7.1. In the case of an individual aid:

Indicate the date when the aid will be put into effect (If the aid will be granted in *tranches*, indicate the date of each *tranche*)

.....

Specify the duration of the measure for which the aid is granted, if applicable

.....

7.2. In the case of a scheme:

Indicate the date from which on the aid may be granted

.....

Indicate the last date until which aid may be granted

.....

If the duration exceeds six years, please demonstrate that a longer time period is indispensable to achieve the objective(s) of the scheme:

.....

8. CUMULATION OF DIFFERENT TYPES OF AID

Can the aid be cumulated with aid received from other local, regional, national or Community schemes to cover the same eligible costs?

☐ yes ☐ no

If so, describe the mechanisms put in place in order to ensure that the cumulation rules are respected:.....

9. PROFESSIONAL CONFIDENTIALITY

Does the notification contain confidential information which should not be disclosed to third parties?

☐ yes ☐ no

If so, please indicate which parts are confidential and explain why:

.....
.....

If no, the Commission will publish its decision without asking the Member State.

10. COMPATIBILITY OF THE AID

Please identify which of the existing Regulations, frameworks, guidelines and other texts applicable to State aid provide an explicit legal basis for the authorisation of the aid (where appropriate please specify for each measure) and complete the relevant supplementary information sheet(s) in part III

- ☐ SME aid
 - ☐ Notification of an individual aid pursuant to Article 6 of Regulation (EC) No 70/2001 as amended by Regulation (EC) No.364/2004
 - ☐ Notification for legal certainty
 - ☐ Aid for SMEs in the agricultural sector
- ☐ Training aid
 - ☐ Notification of an individual aid pursuant to Article 5 of Regulation (EC) No 68/2001 as amended by Regulation (EC) 363/2004
 - ☐ Notification for legal certainty
- ☐ Employment aid
 - ☐ Notification of an individual aid pursuant to Article 9 of Regulation (EC) No 2204/2002
 - ☐ Notification of a scheme pursuant to Article 9 of Regulation (EC) No 2204/2002
 - ☐ Notification for legal certainty
- ☐ Regional aid
- ☐ Aid coming under the multisectoral framework on regional aid for large investment projects
- ☐ Research and development aid
- ☐ Aid for rescuing firms in difficulty
- ☐ Aid for restructuring firms in difficulty
- ☐ Aid for audio-visual production
- ☐ Environmental protection aid
- ☐ Risk capital aid
- ☐ Aid in the agricultural sector
- ☐ Aid in the transport sector
- ☐ Shipbuilding aid

Where the existing Regulations, frameworks, guidelines or other texts applicable to State aid do not provide an explicit basis for the approval of any of the aid covered by this form, please provide a fully reasoned justification as to why the aid could be considered as compatible with the EC Treaty, referring to the applicable exemption clause of the EC Treaty (Article 86(2), Article 87(2) (a) or (b))

, Article 87(3) (a), (b), (c) or (d)) as well as other specific provisions relating to Agriculture and Transport

11. OUTSTANDING RECOVERY ORDERS

In the case of individual aid has any potential beneficiary of the measure received state aid which is the subject of an outstanding recovery order by the Commission?

☐

yes

☐

no

If yes, please provide complete details:.....
.....
.....
.....
.....

12. OTHER INFORMATION

Please indicate here any other information you consider relevant to the assessment of the measure(s) concerned under State aid rules.

13. ATTACHMENTS

Please list here all documents which are attached to the notification and provide paper copies or direct internet links to the documents concerned.

14. DECLARATION

I certify that to the best of my knowledge the information provided on this form, its annexes and its attachments is accurate and complete.

Date and place of signature

Signature :

Name and position of person signing.....

PART II. SUMMARY INFORMATION FOR PUBLICATION IN THE OFFICIAL JOURNAL

Number of aid:	(to be completed by the Commission)		
Member State:			
Region:			
Title and objective of aid schemes or name of company beneficiary of an individual aid (aid based on a scheme which should however be notified individually and aid not based on a scheme):			
Legal basis:			
Annual expenditure planned or overall amount of individual aid granted: (In national currency)	Aid scheme	Annual expenditure planned:	EUR ... million
		Overall amount:	EUR ... million
	Individual aid	Overall amount of each measure:	EUR ... million
Duration:			
Maximum aid intensity of the individual aid or the aid scheme:			
Economic sectors:	All sectors:		
	• <i>or</i> Limited to specific sectors as mentioned in the "General information", (Part I, par. 4.2.)		
Name and address of the granting authority	Name:		

PART III. SUPPLEMENTARY INFORMATION SHEETS

To be completed as necessary depending on the type of aid concerned:

- 1.** SME aid
- 2.** Training aid
- 3.** Employment aid
- 4.** Regional aid
- 5.** Aid coming under the multisectoral framework
- 6.** Research and development aid
 - a) in the case of a scheme
 - b) in the case of individual aid
- 7.** Aid for rescuing firms in difficulty
 - a) in the case of a scheme
 - b) in the case of individual aid
- 8.** Aid for restructuring firms in difficulty
 - a) in the case of a scheme
 - b) in the case of individual aid
- 9.** Aid for audio-visual production
- 10.** Environmental protection aid
- 11.** Risk capital aid
- 12.** Aid in the agricultural sector
 - a) Aid for agriculture
 - i. Aid for investment in agricultural holdings
 - ii. Aid for investments in connection with the processing and marketing of agricultural products
 - b) Agri-environmental aid
 - c) Aid to compensate for handicaps in the less favoured areas

- d) Aid for the setting up of young farmers
- e) Aid for early retirement or for the cessation of farming activities
- f) Aid for closing production, processing and marketing capacity
- g) Aid for producer groups
- h) Aid to compensate for damage to agricultural production or the means of agricultural production
- i) Aid for land reparation
- j) Aid for the production and marketing of quality agricultural products
- k) Aid for the provision of technical support in the agricultural sector
- l) Aid for the livestock sector
- m) Aid for the outermost regions and the Aegean Islands
- n) Aid in the form of subsidised short-term loans
- o) Aid for the promotion and advertising of agricultural and certain non-agricultural products
- p) Aid for rescue and restructuring firms in difficulty
- q) Aid for TSE tests; fallen stock and slaughterhouse waste

13. Aid in the transport sector

- a) Individual aid for restructuring firms in difficulty in the aviation sector
- b) Aid for transport infrastructure
- c) Aid for maritime transport
- d) Aid for combined transport

14. Aid to the fisheries sector

Part III.1

Supplementary Information Sheet on SME aid

This supplementary information sheet must be used for the notification of any individual aid pursuant to Article 6 of Regulation (EC) 70/2001¹ in its modified form². It must also be used in the case of any individual aid or scheme, which is notified to the Commission for reasons of legal certainty.

1. TYPE OF INDIVIDUAL AID OR SCHEME

Does the individual aid or scheme relate to:

- 1.1. ☐ investment aid
- 1.2. ☐ consultancy and other services and activities including participation in fairs
- 1.3. ☐ R&D expenditure
- ☐ yes:
- for notifications of R& D aid to SMEs please complete:
 - supplementary information sheet for R& D 6 a for aid schemes
 - supplementary incormation sheet for R & D 6 b for individual aid

2. INITIAL INVESTMENT AID

2.1. Does the aid cover investment in fixed capital relating to:

- ☐ the setting-up of a new establishment ?
- ☐ the extension of an existing establishment ?
- ☐ the starting-up of a new activity involving a fundamental change in the product or production process of an existing establishment (through rationalisation, diversification or modernisation)?
- ☐ the purchase of an establishment, which has closed, or which would have closed had it not been purchased?

Is replacement investment excluded?:

☐ yes ☐ no

¹ Commission Regulation (EC) No 70/2001 of 12 January 2001 on the application of Articles 87 and 88 of the EC Treaty to State aid to small and medium sized enterprises, OJ L 10, 13.1.2001, p .33.

² OJ L 63, 28.2.2004, p. 22

2.2. Is the aid calculated as percentage of:

- ☐ the investment's eligible costs
- ☐ the wage costs of employment created by the investment (aid to job creation)

2.3 a) ☐ investment in tangible assets:.....

Is the value of the investment established as a percentage on the basis of :

- ☐ land ?
- ☐ buildings ?
- ☐ plant/machinery (equipment)?

Please provide a short description:

.....

.....

If the undertaking has its main economic activity in the transport sector, are transport means and transport equipment excluded from the eligible costs (except for railway rolling stock)?

☐ yes ☐ no

If no, please specify the transport means or equipment that are eligible:

.....

.....

- b) ☐ purchasing price for the take over of an establishment which has closed or which would have closed had it not been purchased
- c) ☐ intangible investment

The eligible costs of intangible investment shall be the costs of acquisition of the technology:

- ☐ patents' rights
- ☐ operating or patented know-how licences
- ☐ unpatented know-how (technical knowledge)

Please provide a short description³

.....

- d) ☐ wage costs:

Is the amount of the aid expressed as a percentage of the wage costs over a period of two years relating to the employment created?

☐ yes ☐ no

³ This description should reflect how the authorities intend to ensure consistency with point 4.6 of the Guidelines of National Regional Aid, OJ C 74, 10.3.1998, p. 9, as amended by the Community Guidelines on State aid for Rescuing and Restructuring Firms in Difficulty, OJ C 288, 9.10.1999, p. 2, and the subsequent Amendments to the Guidelines on National Regional Aid, OJ C 258, 9.9.2000, p. 5.

2.4. Intensity of the aid

2.4.1. *Investment projects situated outside of assisted regions under Article 87(3)(c) and under Article 87(3)(a) for:*

small enterprises ☐

medium sized enterprises ☐

What are the intensities of the aid for investment projects expressed in gross terms?

Please specify:
.....

2.4.2. *Investment projects situated inside of assisted regions under Article 87(3)(c) and under Article 87(3)(a):*

small enterprises ☐

medium sized enterprises ☐

What are the intensities of the aid for investment projects expressed in gross terms?

Please specify:
.....

3. CUMULATION OF THE AID

3.1. What is the maximum ceiling for cumulated aid?

Please specify:
.....

4. SPECIFIC CONDITIONS FOR AID FOR JOB CREATION

4.1. Does the aid provide for guarantees that the aid for job creation is linked to the carrying-out of an initial investment project in tangible or intangible assets?

☐

yes

☐

no

4.2. Does the aid provide for guarantees that the aid for job creation is created within three years of the investment's completion?

☐

yes

☐

no

Should one of the two previous questions be answered in the negative, please explain how the authorities intend to comply with these requirements:

.....

4.3. Does the employment created represent a net increase in the number of employees in the establishment concerned, compared with the average over the past 12 months?

☐

yes

☐

no

4.4. Does the aid provide for guarantees that the employment within the qualified region will be maintained for a minimum period of five years?

☐

yes

☐

no

If yes, what are the guarantees for that ?

4.5. Does the aid provide for guarantees that the jobs lost during the period of reference are being deducted from the apparent number of jobs created during the same period?

☐ yes ☐ no

5. SPECIFIC CONDITIONS FOR INVESTMENT PROJECT IN ASSISTED AREAS WITH HIGHER REGIONAL AID

5.1. Does the aid include a clause stipulating that the recipient has made a minimum contribution of at least 25% of the total investment and that this contribution will be exempted of any aid?

☐ yes ☐ no

5.2. What are the guarantees that the aid for initial investment (both material and intangible investment) is made conditional on the maintenance of the investment for a minimum period of five years?

.....
.....

6. AID TO CONSULTANCY AND OTHER SERVICE ACTIVITIES

6.1. Are eligible costs limited to:

☐ costs for services provided by outside consultants and other services providers? Please specify if such services are not a continuous or periodic activity nor relate to the enterprise's usual operating expenditure, such as routine tax consultancy services, regular legal service or advertising

.....
.....

☐ costs of firms participating in fairs and exhibitions? Please specify if the aid is related to the additional costs incurred for renting, setting up and running the stand:

Is the participation limited to the first participation in a fair or exhibition?

☐ yes ☐ no

☐ other costs (in particular cases where aid is awarded directly to the service(s) provider or consultant(s) Please specify under which conditions:.....

6.2. Please indicate the maximum aid intensity expressed in gross terms:

If the aid intensity exceeds 50 % gross please indicate in detail why this aid intensity should be necessary:.....

6.3. Please indicate the maximum ceiling for cumulated aid:

.....
.....

7. NECESSITY OF THE AID

7.1. Does the aid foresee that any application for aid must be submitted before work on the project is started?

☐

yes

☐

no

7.2. If not has the Member State adopted legal provisions establishing a legal right to aid according to objective criteria, and without further exercise of discretion by the Member States?

☐

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 (EC) 70/2001 as amended by Regulation (EC) 364/2004.

Part III.2

Supplementary Information Sheet on training aid

This supplementary information sheet must be used for the notification of individual aid pursuant to Article 5 of the Regulation (EC) 68/2001¹ in its modified form². It must also be used in the case of any individual aid or scheme, which is notified to the Commission for reasons of legal certainty.

1. SCOPE OF THE INDIVIDUAL AID OR SCHEME

1.1. Does the measure apply to the production and/or processing and/or marketing of the agricultural products listed in Annex I to the EC Treaty?

☐

yes

☐

no

1.2. Does the measure apply to the production, processing and/or marketing of the fisheries and/or aquaculture products listed in Annex I to the EC Treaty?

☐

yes

☐

no

1.3. Is the aid foreseen for the maritime transport sector?

☐

yes

☐

no

If yes, please answer the following questions:

Is the trainee not an active member of the crew but a supernumerary on board?

☐

yes

☐

no

Shall the training be carried out on board ships entered on Community registers?

☐

yes

☐

no

1.4. What are the intensities of the aid expressed in gross terms? Please specify:

.....
.....
.....

¹ Commission Regulation (EC) No 68/2001 of 12 January 2001 on the application of Articles 87 and 88 to training aid, OJ L 10, 13.1.2001, p. 20.

² OJ L 63, 28.2.2004, p. 20.

2. TYPE OF SCHEME OR INDIVIDUAL AID

Does the scheme or the individual aid relate to:

2.1. Specific training:

☐ yes ☐ no

If yes, please give a description of the measure related to specific training:

.....
.....

2.2. General training:

☐ yes ☐ no

If yes, please give a description of the measure related to general training:

.....
.....

2.3. Training aid given to disadvantaged workers:

☐ yes ☐ no

If yes, please give a description of the measure related to disadvantaged workers:

.....
.....

2.4. Intensity of the aid

2.4.1 Aid for general training

2.4.1.1 ☐ granted outside of assisted regions under to Article 87.(3)(a) EC Treaty and 87 3(c) EC Treaty:

If yes, please specify what are the intensities expressed in gross terms for:

➤ large enterprises:

➤ small or medium-sized enterprises:

If yes, please specify what are the intensities in case that the training is given to disadvantaged workers:

2.4.1.2 ☐ granted in assisted regions under Article 87(3)(a) EC Treaty and under Article 87 (3)(c) EC Treaty

If yes, please specify what are the intensities expressed in gross terms for:

➤ large enterprises:

➤ small or medium sized enterprises:

If yes, please specify what are the intensities in case that the training is given to disadvantaged workers:.....

2.4.2 Aid for specific training

2.4.2.1 ☐ granted outside of assisted regions under Article 87(3)(a) EC Treaty and under Article 87 (3)(c) EC Treaty:

☐ yes ☐ no

If yes, please specify what are the intensities expressed in gross terms for:

➤ large enterprises:

➤ small or medium sized enterprises:

If yes, please specify what are the intensities in case that the training is given to disadvantaged workers:

2.4.2.2 ☐ granted in assisted regions under Article 87(3)(a) EC Treaty and under Article 87 (3)(c) EC Treaty

If yes, please specify what are the intensities expressed in gross terms for:

➤ large enterprises:

➤ small or medium sized enterprises:

If yes, please specify what are the intensities in case that the training is given to disadvantaged workers:.....

3. ELIGIBLE COSTS

Which are the eligible costs foreseen under the scheme or for the individual aid ?

- ☐ trainers personnel costs
- ☐ trainers and trainees travel expenses
- ☐ other current expenses such as materials and supplies
- ☐ depreciation of tools and equipment, to the extent that they are used exclusively for the training project
- ☐ cost of guidance and counselling services with regard to the training project
- ☐ trainees personnel
- ☐ indirect costs (administrative, rent, overheads, transport and tuition costs for participants)

In the case of ad hoc individual aid under a scheme, please provide for each of the eligible costs documentary evidence, which shall be transparent and itemized.....

4. CUMULATION

Can the aid foreseen in the scheme or in the individual aid be cumulated?

☐

yes

☐

no

If yes, can the aid intensities as stipulated in Art. 4 of Regulation No 68/2001 as amended by Regulation (EC) 363/2004 be exceeded by this cumulation?

☐

yes

☐

no

5. OTHER INFORMATION

Please indicate here any other information you consider relevant to the assessment of the measure(s) concerned under Regulation (EC) 68/2001 as amended by regulation (EC) 363/2004 .

Part III.3
Supplementary Information Sheet on employment
aid

This supplementary information sheet must be used for the notification of any individual aid or any scheme pursuant to Article 9 of Regulation (EC) 2204/2002¹. It must also be used in the case of an individual aid or scheme, which is notified to the Commission for reasons of legal certainty. This supplementary information sheet must as well be used for the notification of any employment aid in the transport sector (granted pursuant to Art. 4(6) of the SME Regulation or pursuant to the Regional Guidelines).

1. SCOPE OF THE INDIVIDUAL AID OR SCHEME

- 1.1. Does the measure apply to the production and/or processing and/or marketing of the agricultural products listed in Annex I to the EC Treaty?
☐ yes ☐ no
- 1.2. Does the measure apply to the production, processing and/or marketing of the fisheries and/or aquaculture products listed in Annex I to the EC Treaty?
☐ yes ☐ no

2. CREATION OF EMPLOYMENT

- 2.1. Are the aid intensities calculated with regard to the wage costs over a period of two years relating to the employment created?.....
☐ yes ☐ no
- 2.2. Is the creation of employment for SMEs outside of assisted areas under the Article 87.(3).(a) EC Treaty and under Article 87 (3).(c) EC Treaty or sectors?
☐ yes ☐ no
if yes please specify what are the intensities expressed in
grossterms.....
...
Is the creation of employment in assisted areas according to Article 87(3)(a) EC Treaty and 87(3)(c) EC Treaty or sectors?
☐ yes ☐ no

¹ Commission Regulation (EC) No 2204/2002 of 12 December 2002 on the application of Articles 87 and 88 of the EC Treaty to State aid for employment, OJ L 337, 13.12.2002, p. 3 and OJ L 349, 24.12.2002, p. 126.

2.2.1 *Is the aid defined in terms of intensity compared to standard reference cost?*

☐ yes ☐ no

Is the aid subject to taxes?

☐ yes ☐ no

What are the intensities expressed in net terms?

.....

Shall the ceiling be increased because the scheme or the aid is applicable also to SMEs?

☐ yes ☐ no

if yes please specify what increases are foreseen, expressed in gross terms.....

.....

2.2.2 *Has the recipient to make a minimum contribution, exempted of any aid, of at least 25% of the eligible costs?*

☐ yes ☐ no

2.2.3 *Does the aid provide that the employment is maintained for a minimum period of three years in the case of large enterprises?*

☐ yes ☐ no

Does the aid provide that the employment in the regions or sectors which qualify for regional aid is maintained for a minimum period of two years in the case of SMEs?

☐ yes ☐ no

If yes, what are the guarantees that the aid linked or not linked to the initial investment is made conditional on the maintenance of the employment for a minimum period of two or three years?

2.2.4 *Does the employment created represent a net increase in the number of employees, both in the establishment and in the enterprise concerned, compared with the average over the past 12 months?*

☐ yes ☐ no

2.2.5 *Have the new workers employed never had a job or have lost or are in the process of losing their previous job?*

☐ yes ☐ no

2.2.6 *Does the scheme provide that any application for aid must be submitted before the employment concerned is created?*

☐ yes ☐ no

If not, has the Member State adopted legal provisions establishing a legal right to aid according to objective criteria, and without further exercise of discretion by the Member States?

☐ yes ☐ no

2.2.7 *Does the aid provide that in cases where the employment created is linked to the carrying-out of a project of investment in tangible and intangible assets and the employment is created within three years of the investment's completion for a minimum period of three years in the case of SMEs, the application for aid must be submitted before work is started on the investment projects?*

☐ yes ☐ no

- 2.3 In case of creation of employment in the production, processing and marketing of products listed in Annex I to the EC Treaty in areas which qualify as less favoured areas under Council Regulation (EC) No 1257/1999², will the aid be granted according to the higher regional aid ceilings mentioned in article 4, paragraph 3, fourth subparagraph of Regulation (EC) No 2204/2002 or, where applicable, according to the higher aid ceilings of Regulation (EC) No 1257/1999. Please indicate which will be the intensity of the aid granted.

3. RECRUITMENT OF DISADVANTAGED AND DISABLED WORKERS

- 3.1. Are the aid intensities calculated with regard to the wage costs over a period of one year relating to the employment created?

☐ yes ☐ no

Do the gross aid intensities of all aid relating to the employment of the disadvantaged or disabled workers exceed respectively 50 % or 60 %?

☐ yes ☐ no

- 3.2. Does the recruitment represent a net increase in the number of employees in the establishment concerned?

☐ yes ☐ no

If not, have the post or posts fallen vacant following voluntary departure, retirement on grounds of age, voluntary reduction of working time or lawful dismissal for misconduct and not as a result of redundancy?

☐ yes ☐ no

- 3.3. Is the aid limited to disadvantaged workers in the meaning of Article 2 (f)?

☐ yes ☐ no

- 3.4. Is the aid limited to disabled workers in the meaning of Article 2 (g)?

☐ yes ☐ no

If the aid is not limited to disadvantaged or disabled workers in the meaning of Article 2 (f) and (g) please explain in detail why you consider that targeted categories of workers should be considered as disadvantaged:.....

² Council Regulation (EC) 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations, OJ L 160, 26.6.1999, p. 80.

4. ADDITIONAL COSTS OF EMPLOYMENT OF DISABLED WORKERS

- 4.1. Does the aid refer to the recruitment of individual disabled workers and ancillary costs?

☐ yes ☐ no

If yes please demonstrate that the conditions of Article 6.2 are fulfilled

- 4.2. Does the aid refer to sheltered employment?

☐ yes ☐ no

If yes, please demonstrate that the aid does not exceed the costs of constructing, installing or expanding the establishment concerned, and any costs of administration and transport which result from employment of disabled workers:.....

5. CUMULATION

- 5.1. Does the aid ceiling fixed in Article 4, 5 and 6 apply regardless of whether the support is financed entirely from state resources or is partly financed by the Community?

☐ yes ☐ no

- 5.2. Can the notified aid for the creation of new jobs be cumulated with other State aid within the meaning of Article 87 (1) EC Treaty or with other Community funding in relation to the same wage costs?

☐ yes ☐ no

If yes can the cumulation lead to a result where the aid intensity as fixed in Article 4(2) and (3) is exceeded (aid for disadvantaged and disabled workers excluded)?

☐ yes ☐ no

- 5.3. Can the notified aid for the creation of employment under Article 4 of this regulation be cumulated with any other State aid within the meaning of Article 87 (1) EC Treaty in relation to the costs of any investment to which the created employment is linked and which has not yet been completed at the time the employment is created or which was completed in the three years before the employment was created?

☐ yes ☐ no

If yes can the cumulated aid result in an aid intensity exceeding the relevant ceiling of regional investment aid determined in the guidelines in regional investment aid and in the map approved by the Commission for each member State or the ceiling in Exemption Regulation (EC) N 70/2001?

☐ yes ☐ no

- 5.4. Can the aid for the recruitment of disadvantaged or disabled workers under Article 5 and 6 be cumulated with aid and/or Community funding for the creation of employment under Article 4 in relation with the same wage costs?

☐ yes ☐ no

If yes, is it ensured that such cumulation does not result in a gross aid intensity exceeding 100 % of the wage costs over any period for which the worker or workers are employed?

- 5.5. Can the aid for the recruitment of disadvantaged or disabled workers under Article 5 and 6 of the Regulation be cumulated with other State aid and/or with other Community funding for other purposes than the creation of employment under Article 4 of the Regulation in relation to the same wage costs?

☐ yes ☐ no

If yes, please explain the “other purposes”:

If yes, is it ensured that such cumulation does not result in a gross aid intensity exceeding 100 % of the wage costs over any period for which the worker or workers are employed?

☐ yes ☐ no

6. OTHER INFORMATION

Please indicate here any other information you consider relevant to the assessment of the measure(s) concerned under the Regulation (EC) 2204/2002.

Part III.4
Supplementary Information Sheet on regional aid

This supplementary information sheet must be used for the notification of any aid scheme or individual aid covered by the guidelines on national regional aid.¹

However, the present annex cannot be used for the particular purpose of notification of new regional aid maps. Of course, individual aid or schemes falling under the scope of the exemption regulations, both the SME and the employment regulation,² are exempted from notification. In this regard, Member States are invited to clarify the scope of their notification; in the particular case that their notification covers both aid to large firms and SMEs, then, they may request approval only concerning the first category.

As stated in the guidelines, regional aid is a specific form of aid since it is reserved for particular regions. It is designed to develop the less favoured regions by supporting investment and job creation in a sustainable context.

Derogation from the incompatibility principle established in the Treaty can only be granted in respect of regional aid if the equilibrium between the resulting distortions of competition and the advantages of aid in terms of development can be guaranteed.

1. TYPE OF SCHEME OR INDIVIDUAL AID

The scheme or the individual aid relates to

- 1.1. ☐ initial investment
- ☐ The aid is calculated as a percentage of the investment's value
- ☐ The aid is calculated as a percentage of the wage costs of the persons hired
- 1.2. ☐ operating aid
- 1.3. ☐ both
- 1.4. The aid is granted:
- ☐ automatically, should the conditions of the scheme be fulfilled
- ☐ discretionary, following a decision of the authorities

¹ Guidelines on National Regional Aid, OJ C 74, 10.3.1998, p. 9, as amended by the Community Guidelines on State aid for Rescuing and Restructuring Firms in Difficulty, OJ C 28, 9.10.1999, p. 2 and the subsequent Amendments to the Guidelines on National Regional Aid, OJ C 258, 9.9.2000, p. 5.

² Commission Regulation (EC) No. 70/2001 of 12 January 2001 on the application of Articles 87 and 88 of the EC Treaty to small and medium-sized enterprises, OJ L 10, 13. 1.2001p. 33, and Commission Regulation (EC) No. 2204/2002 of 12 December 2002 on the application of Article 87 and 88 of the EC Treaty to State aid for employment, OJ L 337, 13.12.2002, p. 3, and OJ L 349 24.12.2002, p. 126.

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:

.....
.....
.....

- 1.5. Does the aid respect the regional ceilings of the regional aid map applicable at the time of awarding the aid -including those resulting from the appropriate measures to be adopted in the framework of the 2002 Multisectoral Framework?³

☐ yes ☐ no

Does the scheme include a reference to the regional aid maps applicable?

☐ yes ☐ no

If yes, please specify:.....

.....

2. INITIAL INVESTMENT AID ⁴

- 2.1. Does the scheme cover investment in fixed capital or job creation relating to:

☐ the setting-up of a new establishment ?

☐ the extension of an existing establishment ?

☐ the starting-up of a new activity involving a fundamental change in the product or production process of an existing establishment (through rationalisation, diversification or modernisation) ?

☐ the purchase of an establishment which has closed or which would have closed had it not been purchased ?

- 2.2. Does the aid include a clause stipulating that the recipient has made a minimum contribution of at least 25% of the total investment and that this contribution will be exempted of any aid?

☐ yes ☐ no

³ Commission letter to the Member States of 8.03.2002 on appropriate measures pursuant to Article 88(1) EC Treaty under the Multisectoral Framework SG(2002) D/228828, and Commission letter to the Member States of 8.03.2002 on appropriate measures pursuant to Article 88(1) EC Treaty as regards to the Code on aid to synthetic fibres industry and Community framework for State aid to the motor vehicle industry SG (2002) D/228829.

⁴ This should be understood in the sense of point 4.1 of the Guidelines on National Regional Aid, OJ C 74, 10.3.1998, p. 9, according to which, "the object of regional aid is to secure either productive investment (initial investment) or job creation, which is linked to the investment. Thus this method favours neither the capital factor nor the labour factor."

- 2.3. Does the aid provide that any application for aid must be submitted before work is started on the projects?

☐ yes ☐ no

If any of the points above are not fulfilled, please explain why and how the authorities intend to comply with these necessary conditions:

.....

- 2.4. Does the scheme define the aid in terms of intensity compared to standard reference cost?

☐ yes ☐ no

Is the aid subject to taxes?

☐ yes ☐ no

What are the intensities expressed in gross terms?

.....

What are the parameters enabling calculation of aid intensities?

2.4.1. ☐ *Grants:*

Depreciation arrangements in force?:

.....

Tax rate reduction on benefits of the firm:

.....

2.4.2. ☐ *Low-interest loans and interest rebate:*

maximum amount of the rebate :

.....

maximum period of the loan:

.....

maximum proportion⁵ :

.....

maximum length of the grace period:

.....

In the case of low-interest loans, please specify the minimum interest rate:

⁵

Amount of the loan as a percentage or proportion of the eligible investment.

.....
In case of a state-loan:

- Is it covered by ordinary securities?

-
- What is the expected default rate?

-
- Is the reference rate being increased in situations involving a particular risk?

.....
2.4.3. ☐ *Guarantee schemes:*

Please indicate the types of loans for which guarantees may be granted and specification of the fees (cf. previous point):

.....
.....
.....
What is the expected default rate?

.....
Please submit information allowing the aid intensity of guarantees to be calculated, including duration, proportion and amount :

.....
2.5. Is replacement investment excluded from the scheme?⁶ :

☐ yes ☐ no

In case it is not, the authorities are requested to fill in the part on operating aid.

⁶ Replacing investment falls within the category of operating aid and thus it is excluded from initial investment.

2.6. Is assistance for firms in difficulty⁷ and/or for the financial restructuring of firms in difficulty excluded from the scheme?

☐ yes ☐ no

Should this question be answered in the negative, will aid to investment granted to a large enterprise during the restructuring period, be notified individually?

☐ yes ☐ no

2.7. Does the eligible expenditure under the scheme relate to:

2.7.1. ☐ *Material investment:*

The value of the investment is established as a percentage on the basis of⁸:

☐ land

☐ buildings

☐ plant/machinery (equipment)?

Please provide a short description:⁹

.....
.....
.....

In the context of purchasing an establishment of the type, for which the investment aid is intended, are there any guarantees that the establishment concerned does not belong to a firm in difficulty ?

☐ yes ☐ no

Are there enough guarantees that any aid awarded in the past for the acquisition of assets has been taken into account/deducted as provided for in point 4.5 of the RAG prior to the purchase?

☐ yes ☐ no

Are there enough guarantees that the transactions would take place under market conditions?

☐ yes ☐ no

⁷ As defined in the Community guidelines on state aid for Rescuing and Restructuring firms in difficulty OJ C 288, 9.10.1999, p. 2.

⁸ In the transport sector, expenditure on the purchase of transport equipment cannot be included in the uniform set of items of expenditure. Such expenditure is not eligible for initial investment.

⁹ The description should reflect how the authorities intend to ensure consistency with point 4.4 and point 4.5 of the Guidelines on Regional Aid, OJ C 74, 10.3.1998, p. 9,.

Should one of the three previous questions be answered in the negative, please explain how the authorities intend to comply with the necessary conditions:

.....

.....

.....

2.7.2. ☐ *Intangible investment:*

The value of the investment is established on the basis of expenditure entailed by the transfer of technology through the acquisition of:

- ☐ patents
- ☐ operating or patented know-how licences
- ☐ unpatented know-how

Please provide a short description¹⁰

.....

.....

.....

Does the scheme include a clause stipulating that the expenditure on eligible intangible investment must not exceed 25% of the standard base in the case of large firms?

☐ yes ☐ no

If not, explain why and how the authorities intend to respect this requirement:

.....

.....

.....

In the case of large firms, does the scheme provide for guarantees that eligible assets:

- 2.7.2.1. ☐ will be used exclusively in the establishment receiving the aid?
- 2.7.2.2. ☐ must be regarded as amortisable assets?
- 2.7.2.3. ☐ are purchased from third parties under market conditions?

¹⁰ This description should reflect how the authorities intend to ensure consistency with point 4.6 of the Guidelines of Regional Aid, OJ C 74, 10. 3.1998, p. 9,.

Should one of these conditions not be explicitly reflected in the scheme, please explain the reasons, as well as how the authorities intend to ensure that the eligible intangible assets will remain associated within the recipient region and will not be subject to a transfer benefiting other regions:

.....

.....

.....

What are the guarantees that aid for initial investment (both material and intangible investment) is made conditional on the maintenance of the investment for a minimum period of five years?:

.....

.....

.....

- 2.8. In case that aid to initial investment is linked to aid to employment, can the authorities provide guarantees that the cumulation rules would be respected?

.....

- 2.9. Aid to job creation linked to initial investment

2.9.1. *Does the measure provide for guarantees that the aid for job creation is linked to the carrying-out of an initial investment project?*

☐ yes ☐ no

Does the measure provide for guarantees that the jobs will be created within three years of the investment completion?

☐ yes ☐ no

Should one of the previous questions be answered in the negative, please explain how the authorities intend to comply with these requirements:

.....

.....

.....

In case that the investment does not relate to the setting up of a new establishment, please explain the reference period for calculating the number of jobs created:

.....

.....

.....

2.9.2. *Does the measure provide for guarantees that job creation means a net increase in the number of jobs in a particular establishment compared with the average over a period of time?*

☐ yes ☐ no

Does the measure provide for guarantees that the jobs lost during the period of reference are being deducted from the apparent number of jobs created during the same period?¹¹ :

☐ yes ☐ no

Should one of the above points be answered in the negative, please explain how the authorities intend to comply with these requirements:

.....

.....

.....

2.9.3. *Is the aid calculated on the basis of :*

☐ a percentage of the wage cost per job created ?

☐ a flat-rate amount per job created ?

☐ other (e.g. a progressive rate per job created). Please specify:

.....

Please explain the parameters used in order to calculate the aid intensity:

.....

.....

.....

2.9.4. *Does the measure provide for guarantees that the employment created will be maintained for a minimum period of five years?:*

.....

.....

¹¹ The number of jobs corresponds to the number of annual labour units (ALU), i.e. the number of persons employed full-time in one year, part-time and seasonal work being ALU fractions.

3. OPERATING AID

- 3.1. What is the direct link between the awarding of operating aid and the contribution to regional development?

.....

.....

.....

- 3.2. What are the structural handicaps that the operating aid is seeking to redress?

.....

.....

.....

- 3.3. Which are the guarantees that the nature and the level of the aid are proportional to the handicaps it seeks to alleviate?

.....

.....

.....

- 3.4. What arrangements have been made to ensure that the aid is progressively reduced and limited in time? :

.....

.....

.....

4. SPECIFIC QUESTIONS RELATING TO THE ULTRAPERHERIC REGIONS OR TO REGIONS WITH LOW POPULATION DENSITY

- 4.1. Should aid not be progressively reduced and not be limited in time, please specify whether the following conditions are met:

- 4.1.1. *Does the aid benefit an outermost region or a region with low population density?*

☐

yes

☐

no

4.1.2. *Is this aid intended to offset in part additional transport costs?*

☐ yes ☐ no

Please provide proof of the existence of these additional costs and the method of calculation used to determine their amount¹²:

.....

.....

.....

Indicate what will be the maximum amount of aid (on the basis of an aid-per-kilometre ratio or on the basis of an aid-per-kilometre and aid-per-unit-weight ratio) and the percentage of the additional costs covered by the aid :

.....

.....

.....

4.1.3. *Is the aid intended to offset the additional costs arising in the pursuit of economic activity from the factors identified in Article 299(2) of the EC Treaty?*

☐ yes ☐ no

Please determine the amount of the additional cost and the method of calculation:

.....

.....

.....

How can the authorities establish the link between the additional costs and the factors identified in Article 299 (2) of the EC Treaty?

.....

.....

¹² The description should reflect how the authorities intend to ensure that the aid is given only in respect of the extra cost of transport of goods inside national borders, is calculated on the basis of the most economical form of transport and the shortest route between the place of production or processing and commercial outlets, and cannot be given towards the transport of the products of businesses without an alternative location.

5. SCOPE OF THE SCHEME

5.1. Does the scheme apply to the production of the agricultural products listed in Annex I to the Treaty ? :

☐ yes ☐ no

For investment aid, can the authorities confirm that the following criteria are met?

- Economic viability of beneficiaries guaranteed:
☐ yes ☐ no
- Compliance with minimum EU standards on environment, hygiene and animal welfare:
☐ yes ☐ no
- Availability of market outlets in compliance with applicable CMO (in accordance with point 4.2.5 of the agricultural guidelines)¹³:
☐ yes ☐ no

Please provide information about the fulfilment of these criteria?

.....
.....
.....

What is the nature of the eligible expenses?

.....
.....
.....

Can the authorities provide information regarding respect of maximum aid intensities?¹⁴

.....
.....
.....

¹³ JOCE C 232/24 of 12.8.2000 in connexion with C 28/7 of 1.2.2000

¹⁴ Maximum aid intensity of 40% (50% in LFA).

5.2. Does it apply to the processing and/or marketing of the agricultural products listed in Annex I to the EC Treaty?

☐ yes ☐ no

For investment aid, can the authorities confirm that the following criteria are met?

- Economic viability of beneficiaries guaranteed:

☐ yes ☐ no

- Compliance with minimum EU standards on environment, hygiene and animal welfare:

☐ yes ☐ no

- Availability of market outlets in compliance with applicable CMO (in accordance with point 4.2.5 of the agricultural guidelines)¹⁵:

☐ yes ☐ no

Can the authorities provide information about the fulfilment of these criteria?

.....
.....
.....

Does the measure include a clause stipulating that an annual report should be provided containing information on the fact that the scheme takes into account the restrictions referred to in point 4.2.5 of the Guidelines for State aid in the agricultural sector?

☐ yes ☐ no

Does the measure include a clause providing that any aid towards investment in that sector for which the eligible expenditure exceeds €25 million or the aid amount exceeds €12 million must be notified in accordance with Article 88(3) of the Treaty?

☐ yes ☐ no

Should one of the two questions be answered in the negative, please explain how the authorities intend to comply with the necessary conditions:

.....
.....
.....

¹⁵ See footnote 13

Does the measure apply to the production, processing and/or marketing of the fisheries and/or aquaculture products listed in Annex I to the Treaty ?

☐ yes ☐ no

Can the authorities provide information about compliance with the specific rules applicable?

.....
.....
.....

5.3. Does the scheme apply to the transport sector ?

☐ yes ☐ no

Should this question be answered in the positive, is there a provision in the scheme stating that transport equipment (movable assets) are excluded from the eligible investment expenditure¹⁶?

☐ yes ☐ no

6. RESPECT OF THE RELEVANT PROVISIONS OF SECTORAL AND MULTISECTORAL FRAMEWORKS

6.1. Does the scheme respect the specific provisions, such as the prohibition to grant aid to the steel sector¹⁷ and/or synthetic fibres¹⁸?

☐ yes ☐ no

6.2. Concerning aid awarded after the 1 January 2003: Does the scheme provide for respect of individual notification obligations foreseen in points 24 of the 2002 Multisectoral Framework¹⁹.

☐ yes ☐ no

¹⁶ Excepting the railway rolling stock in the sense provided by Article 4(5) of the Commission Regulation (EC) n°70/2001, , OJ L 10; 13. 1.2001, p. 33.

¹⁷ In the sense of the Annex B of the Communication from the Commission: “Multisectoral framework on regional aid for large investment projects”, OJ C 70, 19. 3.2002, p. 8.

¹⁸ In the sense of Annex D of the C of the Communication from the Commission: “Multisectoral framework on regional aid for large investment projects”, OJ C 70, 19. 3.2002, p. 8.

¹⁹ According to this provision, “Member States are required to notify every case of regional investment aid if the aid proposed is more than the maximum allowable aid that an investment can obtain under the scale and the rules laid down in paragraph 21”, OJ C 70, 19. 3.2002, p. 8.

6.3. Concerning aid awarded before 1 January 2004: Does the scheme include a provision stating that any aid for large investment projects will be notified individually?

☐

yes

☐

no

Should one of these questions be answered in the negative, please explain how the authorities intend to comply with the necessary conditions:

.....

7. OTHER INFORMATION

Please indicate here any other information you consider relevant to the assessment of the measure(s) concerned under the guidelines on national regional aid.

Part III.5

Supplementary Information Sheet on aid coming under
the multisectoral framework ¹

This supplementary information sheet must be used for the notification of any aid covered by the Multisectoral framework on regional aid for large investment projects²

1. ADDITIONAL INFORMATION ON BENEFICIARIES

1.1. Structure of the company or companies investing in the project:

1.1.1. Identity of aid recipient

1.1.2. If the legal identity of the aid recipient is different from the undertaking(s) that finance(s) the project or from the actual beneficiary(s) of the aid, describe also these differences.

.....

.....

.....

1.1.3. Identify the parent group of the aid recipient, describe the group structure and ownership structure of each parent company:

.....

.....

.....

1.2. For a company or companies investing in the project, provide the following data for the last three financial years

1.2.1. Worldwide turnover, EEA turnover, turnover in Member State concerned:

.....

¹ For aid granted outside authorised schemes, the Member State must provide information detailing the beneficial effects of the aid on the assisted area concerned.

² Communication from the Commission: "Multisectoral framework on regional aid for large investment projects", OJ C 70, 19. 3.2002, p. 8.

1.2.2. *Profit after tax and cash flow (on a consolidated basis):*

.....

1.2.3. *Employment worldwide, at EEA level and in Member State concerned:*

.....

1.2.4. *Market breakdown of sales in the Member State concerned, in the rest of the EEA and outside the EEA:*

.....

1.2.5. *Audited financial statements and annual report for the last three years:*

.....

1.3. If the investment takes place in an existing industrial location, provide the following data for the last three financial years of that entity:

1.3.1. *Total turnover:*

.....

1.3.2. *Profit after tax and cash flow:*

.....

1.3.3. *Employment:*

.....

1.3.4. *Market breakdown of sales: in the Member State concerned, in the rest of the EEA and outside the EEA:*

.....

2. AID

For each aid, provide the following information:

2.1. Amount

2.1.1. *Nominal amount of support and its gross and net grant equivalent:*

.....

2.1.2. *Is the assistance measure subject to corporate tax (or other direct taxation)? If only partially, to what extent?*

.....

2.1.3. *Provide a complete schedule of the payment of the proposed assistance. For the package of proposed public assistance, provide the following:*

.....

2.2. Characteristics:

2.2.1. *Are any of the assistance measures of the overall package not yet defined?*

☐

yes

☐

no

If yes, please specify:

.....

2.2.2. *Indicate which of the abovementioned measures does not constitute State aid and for what reason(s):*

.....

.....

.....

2.3. Financing from Community sources (EIB, ECSC instruments, Social Fund, Regional Fund, other):

2.3.1. *Are some of the abovementioned measures to be co-financed by Community funds? Please Explain.*

.....

.....

.....

2.3.2. *Is some additional support for the same project to be requested from any other European or international financing institutions?*

☐

yes

☐

no

If so, for what amounts?

.....

.....

3. ASSISTED PROJECT

- 3.1.** Duration of the project: (specify the planned start date of the new production and the year by which full production may be reached):

.....

- 3.2.** Description of the project:

- 3.2.1. Specify the type of the project and whether it is a new establishment or a capacity expansion or other:*

.....

.....

.....

- 3.2.2. Provide a short general description of the project:*

.....

.....

.....

.....

.....

- 3.3.** Breakdown of the project costs:

- 3.3.1. Specify the total cost of capital expenditure to be invested and depreciated over the lifetime of the project:*

.....

.....

.....

- 3.3.2. Provide a detailed breakdown of the capital and non-capital (2) expenditure associated with the investment project:*

.....

.....

.....

3.4. Financing of total project costs:

.....

.....

.....

4. PRODUCT AND MARKET CHARACTERISTIC

4.1. Characterisation of product(s) envisaged by the project:

4.1.1. Specify the product(s) that will be produced in the aided facility upon the completion of the investment and the relevant (sub-)sector(s) to which the product(s) belong(s) (indicate the Prodcom code or CPA nomenclature for projects in the service sectors:

.....

.....

.....

4.1.2. What product(s) will it replace? If these replaced products are not produced at the same location, indicate where they are currently produced.

.....

.....

.....

4.1.3. What other product(s) can be produced with the same new facilities at little or no additional cost?

.....

.....

.....

4.2. Capacity considerations:

4.2.1. Quantify the impact of the project on the aid recipient's total viable capacity in the EEA (including at group level) for each of the product(s) concerned (in units per year in the year preceeding the start year and on completion of the project).

.....

.....

.....

4.2.2. *Provide an estimate of the total capacity of all EEA producers for each of the products concerned.*

.....

.....

.....

4.3. Market data:

4.3.1. *Provide for each of the last six financial years data on apparent consumption of the product(s) concerned. If available, include statistics prepared by other sources to illustrate the answer.*

.....

.....

.....

4.3.2. *Provide for the next three financial years a forecast of the evolution of apparent consumption of the product(s) concerned. If available, include statistics prepared by independent sources to illustrate the answer.*

.....

.....

.....

4.3.3. *Is the relevant market in decline and for what reasons?*

.....

.....

.....

4.3.4. *An estimate of the market shares (in value) of the aid recipient or of the group to which the aid recipient belongs in the year preceding the start year and on completion of the project.*

5. OTHER INFORMATION

Please indicate here any other information you consider relevant to the assessment of the measure(s) concerned under the multisectoral framework.

Part III.6.a
**Supplementary Information Sheet for research and
development aid: Aid schemes**

This supplementary information sheet must be used for the notification of any aid scheme covered by the Community framework for state aid for research and development.¹ It must also be used for aid schemes for Research and Development aid to SMEs which do not fall under the Block Exemption Regulation for SMEs² as well as for aid intended for the production, processing and marketing of agricultural products.

1. RESEARCH STAGE

Research and development stages qualifying for aid

1.1. Feasibility studies:

☐ yes ☐ no

If yes, to which stage of research does the study refer?

☐ fundamental research

☐ industrial research

☐ precompetitive development

If yes, give examples of major projects:

.....

1.2. Fundamental research:

☐ yes ☐ no

If yes, give examples of major projects:

.....
.....

1.3. Industrial research:

☐ yes ☐ no

¹ Community framework for state aid for research and development (OJ C 45, 17.2.1996, p. 5) and subsequent amendments (OJ C 48, 13.2.1998, p. 2) and the Commission communication on the prolongation of the framework (OJ C 111, 8.5.2002, p. 3).

² Regulation 70/2001 as amended, OJ L 63, 28.2.2004, p.22.

If yes, give examples of major projects:

.....
.....

1.4. Precompetitive development:

☐ yes ☐ no If yes, give examples of major projects:

.....
.....

1.5. Patent applications and renewals by SMEs:

☐ yes ☐ no

If yes, which stage of research is concerned?:

☐ fundamental research

☐ industrial research

☐ precompetitive development

2. ADDITIONAL INFORMATION ON THE RECIPIENT OF THE AID

2.1. Higher-education or research establishments

☐ yes ☐ no

If yes, give an estimate of the number of establishments involved:

.....

If yes, state whether other firms receive aid:

☐ yes ☐ no

Are these higher-education or research establishments in the public sector?

☐ yes ☐ no

2.2. Other (please specify)

3. COOPERATIVE RESEARCH

To enable the Commission to check whether contributions from public research establishments to an R&D project constitute aid, please answer the following questions:³

3.1. Do the projects provide that public, non-profit-making research or higher-education establishments carry out research on behalf of or in collaboration with industry?

☐ yes ☐ no

If yes, please clarify:

- Do the public, non-profit-making research or higher-education establishments receive payment at the market rate for the services they provide?

☐ yes ☐ no

or

- Do the industrial participants bear the full cost of the project?

☐ yes ☐ no

or

- Where results which do not give rise to intellectual property rights may be widely disseminated, are any intellectual property rights fully allocated to the public, non-profit-making establishments?

☐ yes ☐ no

or

- Do the public, non-profit-making establishments receive from the industrial participants (holders of intellectual property rights resulting from the research project) compensation equivalent to the market price for those rights and for the results that do not give rise to intellectual property rights but may be widely disseminated to interested third parties?

☐ yes ☐ no

3.2. Are the projects carried out in collaboration with several firms?

☐ yes ☐ no

If yes, what are the conditions governing such collaboration?

.....

4. RESEARCH ACQUIRED BY THE STATE

4.1. Do projects stipulate that the public authorities may commission R&D from firms?

☐ yes ☐ no

If yes, is there an open tender procedure?

☐ yes ☐ no

4.2. Do projects stipulate that the public authorities may buy the results of R&D from firms?

☐ yes ☐ no

If yes, is there an open tender procedure?

☐ yes ☐ no

5. TYPE OF AID

☐ Aid linked to an R&D contract signed with industrial firms (please specify):

.....

☐ Advance repayable if the project is successful (please specify the amount and procedures for repayment; in particular, give the criteria for measuring "success"):

.....

☐ Other (please specify):

.....

6. ELIGIBLE EXPENDITURE

☐ Costs of personnel employed solely on the research activity:

.....

☐ Costs of durable assets used solely and on a continual basis for the research activity (equipment and instruments):

.....

³ See paragraph 5.8 of the Community framework for state aid for research and development (OJ C 45, 17.2.1996, p. 5).

- ☐ Costs of land and premises used solely and on a continual basis (except where transferred commercially) for the research activity:
.....
- ☐ Costs of consultancy and equivalent services used exclusively for the research activity, including the research, technical knowledge and patents, etc. bought from outside sources
- ☐ Additional overheads incurred directly as a result of the research activity:
.....
.....

If appropriate, give a breakdown of research costs by aided and non-aided R&D:
.....

Give a breakdown of the budget between firms, research centres and universities:
.....

- ☐ Other operating expenses (costs of materials, supplies and similar products incurred directly as a result of the research activity)

7. AID INTENSITY

7.1. Gross aid intensity:

Definition stage or feasibility studies:
.....

Fundamental research:

Industrial research:

Precompetitive development:

7.2. For aid in support of patent applications and renewals by SMEs, specify the research activities which first led to the patents concerned:

Planned intensity:

7.3. Does the same R&D activity cover several stages of research?

☐ yes ☐ no

If yes, which?
.....

Specify the aid intensity applied:
.....

7.4. Bonuses applicable, if any:

7.4.1. *For aid granted to SMEs, give the bonus applicable, if any:*

.....

7.4.2. *Are the research activities in accordance with a specific project or programme undertaken as part of the Community's current framework programme for research and technological development (R&TD)?*

☐ yes ☐ no

If yes, what is the bonus applicable?

.....

Please give also the exact title of the specific project or programme undertaken as part of the Community's current framework programme for R&TD, if possible using the "call identifier" or the CORDIS website: www.cordis.lu).

Does the project in accordance with a specific project or programme undertaken as part of the Community's current framework programme for R&TD involve cross-border cooperation between firms and public research bodies or between at least two independent partners in two Member States, where its results are widely disseminated and published?

☐ yes ☐ no

If yes, what is the bonus applicable?

.....

7.4.3. *Are the aided R&D activities located in a region eligible under Article 87(3)(a) or (c) of the EC Treaty at the time the aid is granted?*

☐ yes ☐ no

Give the bonus applicable:

.....

7.4.4. *If the research activities are not in accordance with a specific project or programme undertaken as part of the Community's current framework programme for R&TD, clarify whether at least one of the following conditions is met:*

- the project involves effective cross-border cooperation between at least two independent partners in two Member States, particularly in the context of coordinating national R&TD policies

☐ yes ☐ no

- the project involves effective cooperation between firms and public research bodies, particularly in the context of coordination of national R&TD policies

☐ yes ☐ no

- the project's results are widely disseminated and published, patent licences are granted or other appropriate steps are taken under conditions similar to those for the dissemination of Community R&TD results

☐ yes ☐ no

Where at least one of the above conditions is met, give any bonus applicable:

- 7.5. Where there is a combination of bonuses and aid intensities, give the maximum aid intensity applicable for each stage of research:

8. INCENTIVE EFFECT OF THE AID

- 8.1. Provide information that will enable us to assess the incentive effect of the aid for large firms.....

- 8.2. Does the scheme stipulate that the annual report on implementation should, in the case of large firms, contain a description of the incentive effect for each individual application of the scheme?

☐ yes ☐ no

9. MULTINATIONAL ASPECTS

- 9.1. Do the projects (scheme/programme) have any multinational aspects (e.g. Esprit or Eureka projects)?

☐ yes ☐ no

If yes, specify:

- 9.2. Do the R&D projects involve cooperation with partners in other countries?

If so, state:

a) which other Member State(s)

b) which other third country or countries

c) which firm(s) in other countries

9.3. Give a breakdown of the total cost by partner:

.....
.....
.....

10. ACCESS TO RESULTS

10.1. Who will own the R&D results in question?.....

10.2. Are any conditions attached to the granting of licences in respect of the results?

10.3. Are there any rules governing the general publication/dissemination of the R&D results?

☐ yes ☐ no

10.4. Indicate the measures planned for the subsequent use/development of the results:

10.5. Is there provision for the results of publicly financed R&D projects to be made available to Community industry on a non-discriminatory basis?

☐ yes ☐ no

11. INFORMATION AND CONTROL MEASURES

11.1. Give the information/control measures used to ensure that the aided projects are in line with the objectives laid down by the relevant legislation:

11.2. Specify the arrangements for informing the Commission about implementation of the scheme:

11.3. Other useful information, including an estimate of the number of jobs created or safeguarded:

12. PROVISIONS APPLICABLE TO THE AGRICULTURAL SECTOR

12.1. Can you confirm that the following four conditions are met in all cases?

- ☐ The aid is of general interest to the sector (or subsector) concerned, without causing undue distortion of competition in other sectors (or subsectors).
- ☐ Information must be published in suitable newspapers, scientific periodicals with at least national circulation or on the Internet and not limited to the members of individual organisations, so as to guarantee that any operator potentially interested in the research activity can easily find out that it is planned or has started and that the results are being or will be provided, on request, to any interested party. This information should be published on a date not later than any information given directly to members of individual organisations.
- ☐ The results of this research activity will be provided for exploitation to all parties involved, including the beneficiary of the aid, on an equal basis in terms of both cost and timing.
- ☐ The aid satisfies the conditions in Annex II – internal support, i.e. the basis for exemption from the state aid reduction commitments in the Agreement on Agriculture concluded at the end of the Uruguay Round of Multilateral Trade Negotiations.⁴
- ☐ yes ☐ no

If all the above conditions combined are not met, the general rules (questions 1-11) will apply.

12.2. What is the planned aid intensity?:.....

13. OTHER INFORMATION

Please give any other information you consider necessary to assess the measure(s) in question under the Community framework for state aid for research and development.

⁴ Agreement on Agriculture concluded at the end of the Uruguay Round of Multilateral Trade Negotiations (OJ L 336, 23.12.1994, p. 31).

Part III.6.b
**Supplementary Information Sheet for research and
development aid: individual aid**

This supplementary information sheet must be used for the notification of any aid scheme covered by the Community framework for state aid for research and development.¹ It must also be used for individual aid for Research and Development to SMEs, which does not fall under the Block Exemption Regulation for SMEs² as well as for aid intended for the production, processing and marketing of agricultural products.

1. RESEARCH STAGE

Research and development stages qualifying for aid

1.1. Feasibility studies:

☐ yes ☐ no

If yes, to which stage of research does the study refer?

☐ fundamental research

☐ industrial research

☐ precompetitive development

If yes, give examples of major projects:

.....

1.2. Fundamental research:

☐ yes ☐ no

If yes, give examples of major projects:

.....
.....

1.3. Industrial research:

☐ yes ☐ no

If yes, give examples of major projects:

.....
.....

¹ Community framework for state aid for research and development (OJ C 45, 17.2.1996, p. 5) and subsequent amendments (OJ C 48, 13.2.1998, p. 2) and the Commission communication on the prolongation of the framework (OJ C 111, 8.5.2002, p. 3).

² Regulation 70/2001 as amended, OJ L 63, 28.2.2004, p. 20.

1.4. Precompetitive development:

☐ yes ☐ no

If yes, give examples of major projects:

.....
.....

1.5. Patent applications and renewals by SMEs:

☐ yes ☐ no

If yes, which stage of research is concerned?

☐ fundamental research

☐ industrial research

☐ precompetitive development

**2. ADDITIONAL INFORMATION ON THE
RECIPIENT OF THE AID**

2.1. Higher-education or research establishments

☐ yes ☐ no

If yes, give an estimate of the number of establishments involved:

.....

If yes state whether other firms receive aid:

☐ yes ☐ no

Are these higher-education or research establishments in the public sector?

☐ yes ☐ no

2.2. Other (please specify).....

3. COOPERATIVE RESEARCH

To enable the Commission to check whether contributions from public research establishments to an R&D project constitute aid, please answer the following questions:³:

3.1. Do the projects provide that public, non-profit-making research or higher-education establishments carry out research on behalf of or in collaboration with industry?

☐ yes ☐ no

If yes, please clarify:

- Do the public, non-profit-making research or higher-education establishments receive payment at the market rate for the services they provide?

☐ yes ☐ no

or

- Do the industrial participants bear the full cost of the project?

☐ yes ☐ no

or

- Where results which do not give rise to intellectual property rights may be widely disseminated, are any intellectual property rights fully allocated to the public, non-profit-making establishments?

☐ yes ☐ no

or

- Do the public, non-profit-making establishments receive from the industrial participants (holders of intellectual property rights resulting from the research project) compensation equivalent to the market price for those rights and for the results that do not give rise to intellectual property rights but may be widely disseminated to interested third parties?

☐ yes ☐ no

3.2. Are the projects carried out in collaboration with several firms?

☐ yes ☐ no

³ See paragraph 5.8 of the Community framework for state aid for research and development (OJ C 45, 17.2.1996, p. 5).

If yes, what are the conditions governing such collaboration?

.....

4. RESEARCH ACQUIRED BY THE STATE

4.1. Do projects stipulate that the public authorities may commission R&D from firms?

☐ yes ☐ no

If yes, is there an open tender procedure?

☐ yes ☐ no

4.2. Do projects stipulate that the public authorities may buy the results of R&D from firms?

☐ yes ☐ no

If yes, is there an open tender procedure?

☐ yes ☐ no

5. TYPE OF AID

☐ Aid linked to an R&D contract signed with industrial firms (please specify):

.....

☐ Advance repayable if the project is successful (please specify the amount and procedures for repayment; in particular, give the criteria for measuring "success"):.....

☐ Other (please specify):

.....

6. ELIGIBLE EXPENDITURE

☐ Costs of personnel employed solely on the research activity:

.....

☐ Costs of durable assets used solely and on a continual basis for the research activity (equipment and instruments):

- ☐ Costs of land and premises used solely and on a continual basis (except where transferred commercially) for the research activity:
- ☐ Costs of consultancy and equivalent services used exclusively for the research activity, including the research, technical knowledge and patents, etc. bought from outside sources
- ☐ Additional overheads incurred directly as a result of the research activity:

If appropriate, give a breakdown of research costs by aided and non-aided R&D:

Give a breakdown of the budget between firms, research centres and universities:

7. AID INTENSITY

7.1. Gross aid intensity:

Definition stage or feasibility studies:

Fundamental research:

Industrial research:

Precompetitive development:

7.2. For aid in support of patent applications and renewals by SMEs, specify the research activities which first led to the patents concerned:

Planned intensity:.....

7.3. Does the same R&D activity cover several stages of research?

☐ yes ☐ no

If yes, which?

Specify the aid intensity applied:

7.4. Bonuses applicable, if any:

7.4.1. *For aid granted to SMEs, give the bonus applicable, if any:*

7.4.2. *Are the research activities in accordance with a specific project or programme undertaken as part of the Community's current framework programme for research and technological development (R&TD)?*

☐ yes ☐ no

If yes, what is the bonus applicable?

.....

Please give also the exact title of the specific project or programme undertaken as part of the Community's current framework programme for R&TD, if possible using the "call identifier" or the CORDIS website: www.cordis.lu).

Does the project in accordance with a specific project or programme undertaken as part of the Community's current framework programme for R&TD involve cross-border cooperation between firms and public research bodies or between at least two independent partners in two Member States, where its results are widely disseminated and published?

☐ yes ☐ no

If yes, what is the bonus applicable?

.....

7.4.3. *Are the aided R&D activities located in a region eligible under Article 87(3)(a) or (c) of the EC Treaty at the time the aid is granted?*

☐ 87(3)(a)

☐ 87(3)(c)

Give the bonus applicable:

.....

7.4.4. *If the research activities are not in accordance with a specific project or programme undertaken as part of the Community's current framework programme for R&TD, clarify whether at least one of the following conditions is met:*

- the project involves effective cross-border cooperation between at least two independent partners in two Member States, particularly in the context of coordinating national R&TD policies

☐ yes ☐ no

- the project involves effective cooperation between firms and public research bodies, particularly in the context of coordination of national R&TD policies

☐ yes ☐ no

- the project's results are widely disseminated and published, patent licences are granted or other appropriate steps are taken under conditions similar to those for the dissemination of Community R&TD results

☐ yes ☐ no

Where at least one of the above conditions is met, give any bonus applicable:

Where there is a combination of bonuses and aid intensities, give the maximum aid intensity applicable for each stage of research:

8. INCENTIVE EFFECT OF THE AID

- 8.1. How has expenditure on research and development increased or decreased?

.....

- 8.2. Is the aid used for R&D activities over and above the recipient's traditional activities?

☐ yes ☐ no

- 8.3. Is R&D-linked scientific and/or technological activity being created?

☐ yes ☐ no

- 8.4. How has the number of people engaged in R&D activities evolved?

.....

- 8.5. Has there been job creation linked to R&D activities?

☐ yes ☐ no

If yes, give the estimated number of jobs created:

.....

- 8.6. Have jobs been safeguarded as a result of R&D activities?

☐ yes ☐ no

- 8.7. What is the firm's turnover?
- 8.8. Are there additional costs linked to cross-border cooperation?
- ☐ yes ☐ no
- 8.9. Indicate the measures planned for exploiting in part or in full the results of the research
- 8.10. Are measures planned to enable SMEs to participate?
- ☐ yes ☐ no
- If yes, indicate what they are:
- 8.11. Other incentive factors, such as commercial and technological risk:
.....
- 8.12. In the case of individual, close-to-the-market research projects to be undertaken by large firms, what factors have been taken into account to ensure that the aid has an incentive effect on R&D?
.....
- 8.13. Demonstrate that the application for aid was made before the R&D activities started:
.....

9. MULTINATIONAL ASPECTS

- 9.1. Do the projects (scheme/programme) have any multinational aspects (e.g. Esprit or Eureka projects)?
- ☐ yes ☐ no
- If yes, specify:
- 9.2. Do the R&D projects involve cooperation with partners in other countries?
- If yes, state:
- d) which other Member State(s).....
- e) which other third country or countries
.....
- f) which firm(s) in other countries

9.3. Give a breakdown of the total cost by partner:

.....

10. ACCESS TO RESULTS

10.1. Who will own the R&D results in question?

.....

10.2. Are any conditions attached to the granting of licences in respect of the results?

.....

10.3. Are there any rules governing the general publication/dissemination of the R&D results?

☐ yes ☐ no

10.4. Indicate the measures planned for the subsequent use/development of the results:

10.5. Is there provision for the results of publicly financed R&D projects to be made available to Community industry on a non-discriminatory basis?

☐ yes ☐ no

11. INFORMATION AND CONTROL MEASURES

11.1. Give the information/control measures used to ensure that the aided projects are in line with the objectives laid down by the relevant legislation:

.....

11.2. Specify the arrangements for informing the Commission about implementation of the scheme:

.....

Other useful information, including an estimate of the number of jobs created or safeguarded:

12. PROVISIONS APPLICABLE TO THE AGRICULTURAL SECTOR

12.1. Can you confirm that the following four conditions are met in all cases?

- ☐ The aid is of general interest to the sector (or subsector) concerned, without causing undue distortion of competition in other sectors (or subsectors).
- ☐ Information must be published in suitable newspapers, scientific periodicals with at least national circulation or on the Internet and not limited to the members of individual organisations, so as to guarantee that any operator potentially interested in the research activity can easily find out that it is planned or has started and that the results are being or will be provided, on request, to any interested party. This information should be published on a date not later than any information given directly to members of individual organisations.
- ☐ The results of this research activity will be provided for exploitation to all parties involved, including the beneficiary of the aid, on an equal basis in terms of both cost and timing.
- ☐ The aid satisfies the conditions in Annex II – internal support, i.e. the basis for exemption from the state aid reduction commitments in the Agreement on Agriculture concluded at the end of the Uruguay Round of Multilateral Trade Negotiations.⁴
- ☐ yes ☐ no

If all the above conditions combined are not met, the general rules (questions 1-11) will apply.

12.2. What is the planned aid intensity?:.....
.....

13. OTHER INFORMATION

Please give any other information you consider necessary to assess the measure(s) in question under the Community framework for state aid for research and development.

⁴ Agreement on Agriculture concluded at the end of the Uruguay Round of Multilateral Trade Negotiations (OJ L 336, 23.12.1994, p. 31).

Part III.7.a
**Supplementary Information Sheet on aid for rescuing
firms in difficulty: Aid schemes**

This supplementary information sheet must be used for the notification of rescue aid schemes covered by the Community guidelines on State aid for rescuing and restructuring firms in difficulty¹.

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
- 1.2. Is the scheme limited to rescuing small or medium-sized enterprises in difficulty which correspond to the Community definition of SMEs?
- ☐ yes ☐ no

2.FORM OF AID

- 2.1. Is the aid granted under the scheme in the form of a loan guarantee or loans?
- ☐ yes ☐ no
- 2.2. If yes, will the loan be granted at an interest rate at least comparable to those observed for loans to healthy firms, and in particular the reference rate adopted by the Commission?
- ☐ yes ☐ no

Please provide detailed information.

¹ Community guidelines on State aid for rescuing and restructuring firms in difficulty, OJ C 288, 9.10.1999, p. 2.

- 2.3. Will the aid under the scheme be linked to loans that are to be reimbursed over a period of not more than 12 months after disbursement of the last instalment to the firm?

☐ yes ☐ no

3. OTHER ELEMENTS

- 3.1. Will aid under the scheme be warranted on the grounds of serious social difficulties? Please justify.
- 3.2. Will aid under the scheme have no unduly adverse spillover effects on other Member States? Please justify.
- 3.3. Please explain why you think that the aid scheme is limited to the minimum necessary (i.e. is restricted to the amount needed to keep the firm in business for the period during which the aid is authorised. This should not go beyond a period of 6 months).
- 3.4. Do you undertake, within six months after granting the aid, to either approve a restructuring plan or a liquidation plan, or demand reimbursement of the loan and the aid corresponding to the risk premium from the beneficiary?

☐ yes ☐ no

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

- 3.5. Provide all relevant information on aid of any kind which may be granted to the firms eligible for receiving rescue aid during the same period of time.

4. ANNUAL REPORT

- 4.1 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

- 4.2 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 NACE² two-digit sectoral classification codes;
- (c) the number of employees;
- (d) annual turnover and balance sheet value;

² Statistical classification of economic activities in the European Community, published by the Statistical Office of the European Communities.

- (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

5. OTHER INFORMATION

Please indicate here any other information you consider relevant to the assessment of the measure(s) concerned under the guidelines on aid for rescuing and restructuring firms in difficulty.

Part III.7.b
**Supplementary Information Sheet on aid for
rescuing firms in difficulty: Individual aid**

This supplementary information sheet must be used for the notification of individual rescue aid covered by the Community guidelines on State aid for rescuing and restructuring firms in difficulty¹.

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 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 to 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, for it to be 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 Community guidelines on State aid for rescuing and restructuring firms in difficulty, OJ C 288, 9.10.1999, p. 2.

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

☐ yes ☐ no

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

2.FORM OF AID

- 2.1. Is the aid in the form of a loan guarantee or loans? Copies of the relevant documents should be provided.

☐ yes ☐ no

- 2.2. If yes, is the loan granted at an interest rate at least comparable to those observed for loans to healthy firms, and in particular the reference rate adopted by the Commission?

☐ yes ☐ no

Please provide detailed information.

- 2.3. Is the aid linked to loans that are to be reimbursed over a period of not more than 12 months after disbursement of the last instalment to the firm?

☐ yes ☐ no

3.OTHER ELEMENTS

- 3.1. Is the aid warranted on the grounds of serious social difficulties? Please justify.

- 3.2. Does the aid have no unduly adverse spillover effects on other Member States? Please justify.

- 3.3. Please explain why you think that the aid is limited to the minimum necessary (i.e. is restricted to the amount needed to keep the firm in business for the period during which the aid is authorised). This should be done on the basis of a liquidity plan for the 6 months ahead and on the basis of a comparison with operating costs and financial charges over the previous 12 months.

- 3.4. Do you undertake, not later than six months after the rescue aid measure has been authorised, to communicate to the Commission a restructuring plan or a liquidation plan or proof that the loan has been reimbursed in full and/or that the guarantee has been terminated?

☐ yes ☐ no

4. OTHER INFORMATION

Please indicate here any other information you consider relevant to the assessment of the measure(s) concerned under the guidelines on aid for rescuing and restructuring firms in difficulty.

Part III.8.a
**Supplementary Information Sheet on aid for
restructuring firms in difficulty: Aid schemes**

This supplementary information sheet must be used for the notification of restructuring aid schemes covered by the Community Guidelines on State aid for rescuing and restructuring firms in difficulty¹

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 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

1.2. Is the scheme limited to restructuring small or medium-sized enterprises in difficulty which correspond to the Community 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 of the different restructuring measures planned and their cost.

¹ Community Guidelines on State aid for rescuing and restructuring firms in difficulty, OJ C 288, 9.10.1999, p. 2.

- 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 reductions.
- 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?

☐ yes ☐ 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 Commission's instructions on standardised reports?

☐ yes ☐ 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 NACE² 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 guidelines on aid for rescuing and restructuring firms in difficulty.

² Statistical classification of economic activities in the European Community, published by the Statistical Office of the European Communities.

Part III.8.b
**Supplementary Information Sheet on aid for
restructuring firms in difficulty: Individual aid**

This supplementary information sheet must be used for the notification of individual restructuring aid covered by the Community Guidelines on State aid for rescuing and restructuring firms in difficulty¹

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, for it to be eligible for restructuring 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 Community Guidelines on State aid for rescuing and restructuring firms in difficulty, JO C 288, 9.10.1999, p. 2. Please note that a specific form shall be used in case of aid for restructuring firms in the aviation sector (Part III.13.a) as well as in the agricultural sector (Part III. 12.p)..

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

☐ 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. 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, 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. 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.
- 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.

3. OTHER INFORMATION

Please indicate here any other information you consider relevant to the assessment of the measure(s) concerned under the guidelines on aid for rescuing and restructuring firms in difficulty.

Part III.9
**Supplementary Information Sheet on aid for
audiovisual production**

This supplementary information sheet must be used for notifications of aid covered by the Commission Communication on certain legal aspects relating to cinematographic and other audiovisual works¹

1. THE AID SCHEME

- 1.1. Please describe as accurately as possible the purpose of the aid and its scope, where appropriate, for each measure.
- 1.2. Does the aid directly benefit the creation of a cultural work (for cinema or television)?
- 1.3. Please indicate what provisions exist to guarantee the cultural objective of the aid:
.....
.....
- 1.4. Does the aid have the effect of supporting industrial investment?

2. CONDITIONS FOR ELIGIBILITY

- 2.1. Please indicate the conditions for eligibility for the planned aid:
.....
.....
- 2.2. Beneficiaries:
 - 2.2.1. Does the scheme distinguish between specific categories of beneficiary (e.g. natural/legal person, dependent/independent producer/broadcaster, etc.)?
.....
.....
 - 2.2.2. Does the scheme differentiate on grounds of nationality or place of residence?
.....
.....

¹ Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and Committee of the Regions on certain legal aspects relating to cinematographic and other audiovisual works, OJ C 43, 16.2.2002, p. 6.

- 2.2.3. In the case of establishment in the territory of a Member State, are beneficiaries obliged to fulfil any conditions other than that of being represented by a permanent agency? Note that the conditions of establishment must be defined with respect to the territory of the Member State and not to a subdivision of that State.
- 2.2.4. If the aid has a tax component, must the beneficiary fulfil any obligations or conditions other than that of having taxable revenue in the territory of the Member State?

3. TERRITORIAL COVERAGE

- 3.1. Please indicate if there is provision for any form of obligation to spend in the territory of the Member State or in one of its subdivisions.
- 3.2. Is it necessary to comply with a minimum degree of territorial coverage in order to be eligible for the aid?
- 3.3. Is the required territorial coverage calculated with regard to the overall budget of the film or to the amount of aid?
- 3.4. Does the condition of territorial coverage apply to certain specific items of the production budget?
- 3.5. Is the absolute amount of aid adjustable in proportion to the expenditure carried out in the territory of the Member State?
- 3.6. Is the aid intensity directly proportional to the effective degree of territorial coverage?
- 3.7. Is the aid adjustable in proportion to the degree of territorial coverage required?

4. ELIGIBLE COSTS

- 4.1. Please specify the costs which may be taken into account to determine the amount of aid.
- 4.2. Do the eligible costs all relate directly to the creation of a cinematographic or audiovisual work?

5. AID INTENSITY

- 5.1. Please indicate whether the scheme provides for use of the concept of difficult, low-budget film in order to obtain an aid intensity of over 50% of the production budget.
- 5.2. If so, please indicate the categories of film covered by this concept.
- 5.3. Please indicate whether the aid can be combined with other aid schemes ("cumulation of aid") or other provisions for aid and, if so, what arrangements are made to limit such cumulation or to ensure that, in the case of cumulation, the maximum aid intensity for the work is not exceeded.

6. COMPATIBILITY

- 6.1. Please provide a reasoned justification in support of compatibility of the aid in the light of the principles set out in the Commission Communication on certain legal aspects relating to cinematographic and other audiovisual works.

7. OTHER INFORMATION

Please indicate here any other information you consider relevant to the assessment of the measure(s) concerned under the Communication on certain legal aspects relating to cinematographic and other audiovisual works.

Part III.10
**Supplementary Information Sheet on environmental
protection aid**

This supplementary information sheet must be used for the notification of any aid covered by the Community Guidelines on State aid for environmental protection¹.

1. OBJECTIVE OF THE AID

- 1.1. Which are the objectives aimed at in terms of environmental protection?
Please submit a detailed description for each part of the scheme

.....

If the measure in question has already been applied in the past, what have
been the results in terms of environmental protection?

.....

.....

- 1.2. If the measure is a new one, what environmental results are anticipated, and
over what period ?

.....

.....

**2. INVESTMENT AID AIMED AT THE ADAPTATION TO NEW STANDARDS OR AIMED
AT GOING BEYOND EXISTING STANDARDS**

- 2.1. Aid for adaptation to new Community standards

2.1.1. *Will aid be granted for reaching Community standards already
adopted at the time of notification?*

☐

yes

☐

no

In the affirmative which are the Community standards in question?

.....

.....

Date at which they have been formally adopted by the competent
Community Institutions?.....

Please confirm that no aid will be granted to large enterprises for reaching
Community standards already adopted but not yet in force

¹ Community Guidelines on State aid for environmental protection, JOC 37, 3.2.2001, p. 3.

☐ yes ☐ no

If Community Standards are set in a directive, which deadlines are set for the transposition?.....

2.1.2. *Which are the eligible costs?*

.....
.....

Please explain how it will be ensured that the eligible costs are only the extra costs necessary to meet the environmental objective, and how any cost savings engendered over the first 5 years of the life of the investment will be taken into account

.....
.....

To what extent are advantages deriving from a possible capacity increase and from accessory additional productions taken into account?.....

.....

2.1.3. *What is the maximum aid intensity expressed as a gross amount of the planned aid?*

2.2. State aids aimed at going beyond Community standards or planned in case no Community Standard exists.

2.2.1. *If Community standards exist, please describe.....*

If there are no Community standards, are there national standards?

☐ yes ☐ no

If yes, please attach copies of the relevant texts.

Please confirm that an enterprise will only be granted aid for reaching national standards which are more stringent than Community standards or where no Community standards exist, if it complies with the relevant standard on the final date laid down in the national measure:

Please give examples of eligible investments:.....

In the case of national standards, are they stricter than Community standards?

☐ yes ☐ no

If yes, please specify,

.....
.....

2.2.2. *What are the eligible costs?*

Please explain in what way it will be ensured that the eligible costs are only the extra costs necessary to meet the environmental objective, and how any cost savings engendered over the first 5 years of the life of the investment will be taken into account.

.....
.....

To what extent have possible advantages deriving from a capacity increase and additional accessory productions been taken into account?

2.2.3. Please state the maximum gross aid intensity of the planned measure

What is the standard maximum gross aid intensity of the planned measure?

Does the aid scheme provide for a bonus for undertakings situated in regions eligible for national regional aid?

☐ yes ☐ no

If yes, which bonuses are foreseen?.....

Does the aid scheme provide for a bonus for SMEs?

☐ yes ☐ no

If yes, please give details?

.....

Can the bonus be cumulated with the bonus for undertakings situated in assisted regions?

☐ yes ☐ no

If yes, please describe the modalities:.....

3. INVESTMENT AID IN THE ENERGY SECTOR

3.1. Aids for investments aimed at energy saving

3.1.1. What are the energy savings expected as a result of the ad hoc aid or aid scheme?

Is the amount of the expected savings assessed by an independent expert? Please give examples of eligible investments

.....

3.1.2. What are the CO₂ saving expected as a result of the ad hoc aid or aid scheme ?

3.1.3. *What are the eligible costs?*

Please explain in what way it will be ensured that the eligible costs are only the extra costs necessary to meet the environmental objective, and how any cost savings engendered over the first 5 years of the life of the investment will be taken into account.

To what extent have possible advantages deriving from a capacity increase and additional accessory productions been taken into account?

What is the maximum gross aid intensity of the planned aid ?

Does the project provide for a bonus for undertakings in areas eligible for national regional aid schemes?

☐ yes ☐ no

If yes, which bonuses are foreseen?

Does the planned scheme provide for a bonus for SMEs?

☐ yes ☐ no

If yes, which bonus?

Can this bonus be cumulated with the bonus applicable to undertakings in assisted areas?

☐ yes ☐ no

If yes, what are the conditions?.....

3.2. Aids in favour of the combined production of electricity and heat

3.2.1. *Which primary source of energy will be used in the production process?*

3.2.2. *What will be the environmental benefit of the measure in question?*

If the conversion efficiency is particularly high, give the comparative average.

What will be the minimum conversion efficiency of the eligible CHP plants?

If the measures allow energy consumption to decrease, in what proportion?

Have the provisions been elaborated by an independent expert?

In what respect and to what extent is the production process less damaging for the environment, if at all?

3.2.3. *What are the eligible costs?*

What would be the investment costs for the installation of a production entity for electricity (or heat) for the same capacity in terms of effective energy production?

To what extent is the sale of heat (if the installation is primarily destined for the production of energy) or the sale of electricity (in the opposite case) taken into account in order to decrease the higher investment costs?

In the case of the replacement of an existing installation, is there an advantage deriving from the increase of capacity or from cost saving?

How are those advantages calculated?

3.2.4. *What is the maximum gross aid intensity of the planned aid?*

What is the standard maximum gross intensity of the aid?

Does the planned scheme provide for a bonus for undertakings in assisted areas?

☐ yes ☐ no

If yes, which bonuses are foreseen?.....

Is a bonus foreseen for SMEs?

☐ yes ☐ no

If yes, please give details

Can this bonus be cumulated with the bonus for undertakings in assisted areas?

☐ yes ☐ no

If yes, under what conditions?

3.3. Aids for investment in renewable energies

3.3.1. *Which are the types of energy in question? Do they fall under the definition of renewable energies described in Art. 2 of Directive 2001/77/CE of the European Parliament and of the Council of 27 September 2001²?*

² Directive 2001/77/CE of the European Parliament and of the Council of 27 September 2001, OJ L 283, 27.10.2001, p. 3.

In case the investments are meant to provide energy for a whole Community, describe the limits of this community and the types of energy used before for that purpose.

3.3.2. *What are the eligible costs?*

What would be the investment costs for the installation of a production entity for electricity for the same capacity in terms of effective energy production?

3.3.3. *What is the maximum gross aid intensity of the planned aid?*

If the aid may cover the total eligible costs, why is such an aid rate indispensable?

In similar circumstances, how would the produced energy be traded, through which distributors and at what tariffs?

Does the planned aid scheme provide for a bonus for undertakings situated in regions eligible for national regional aid?

☐ yes ☐ no

If so, what is the size of the bonus?

Is a bonus foreseen for SMEs?

☐ yes ☐ no

If yes, please give details:.....

Can this bonus be cumulated with the bonus provided for undertakings in assisted regions?

☐ yes ☐ no

If yes, under which conditions?

Can the notified investment aid be combined with other State aid within the meaning of Article 87(1) of the Treaty, or with other forms of Community financing?

☐ yes ☐ no

If yes, please undertake to respect the maximum aid intensities stipulated in the environmental aid guidelines, or, where aid serving different purposes and involving the same eligible costs is granted, the most favorable aid ceiling:.....

4. AID IN FAVOUR OF THE REHABILITATION OF POLLUTED INDUSTRIAL AREAS

- 4.1. What is the site in question (description of the site) and what is the nature of the pollution?

Has the nature, extent and risk to human health and the environment of the pollution been subject to an independent expert assessment?

☐ yes ☐ no

Which ones ? Attach copies of the reports.

- 4.2. In the case of ad-hoc aid, please answer the following questions :

Is the current ownership of the site public or private ?

If the current ownership of the site is public, has this site been purchased by the public administration in order to carry out the remediation/rehabilitation actions?

☐ yes ☐ no

Has the person responsible for the pollution of the site been identified?

☐ yes ☐ no

If not, please describe briefly the exemption circumstances that render the polluter not liable

Has the value of the polluted site (before rehabilitation) been evaluated through an independent expert analysis?

☐ yes ☐ no

What is the market value of the site before the rehabilitation action ?

.....

What are the costs calculated for the rehabilitation work?

What are the primary costs in the sense of the Commission Communication on State aid elements in sales of land and buildings by public authorities?

.....

Has the value of the site after rehabilitation been estimated by an independent expert assessment?

☐ yes ☐ no

What is the estimated market value of the rehabilitated site?.....

Has the public administration the intention of selling the land within three years after the date of acquisition?

What land use will be given to the polluted site after its rehabilitation?

What is the scope of the envisaged aid?

What is the maximum gross aid intensity of the planned aid?

4.3. In case of an aid scheme, please explain

What is the scope of the envisaged aid ?

What is the maximum gross aid intensity of the planned aid ?

Have similar aid schemes been given to fund the rehabilitation of other polluted sites in your Member State? Please explain how many sites have been remediated under similar schemes and what were the amounts allocated to such schemes?.....

.....

5. AID IN FAVOUR OF RELOCALISATION OF AN UNDERTAKING

5.1. Where is the undertaking which should benefit from the relocation aid situated?

If the location is in a Zone Natura 2000, which legislative text provides for that qualification?

5.2. Why does the relocation takes place?

Please provide a thorough description of the environmental, social or public health circumstances that render the relocation necessary. Is the owner of the undertaking liable (under national or Community legislation) for the pollution/environmental problem?

5.3. Is there an administrative or judicial decision ordering the relocation of the undertaking ?

☐ yes ☐ no

If yes, attach a copy of the relevant decision.

Please confirm that the beneficiary will comply with the strictest environmental standards applicable in the new region where it is located.

5.4. What profits can the undertaking expect from the sale, the expropriation, or rent of the abandoned territories or installations ?

5.5. What costs will have to be assumed in relation with the new installation with equal production capacity as the one abandoned ?

Will the relocation cause penalties for the anticipated termination of the contract regarding the rent of the territory or of the buildings ?

Will there be any benefits from the new technology used following the relocation ?

Are there accounting gains from the better use of the installations following the relocation ?

What is the maximum gross aid intensity of the planned aid?.....

6. AID TO SMES FOR ADVISORY/CONSULTANCY SERVICES IN THE ENVIRONMENTAL FIELD
--

6.1. Who are the potential beneficiaries of the aid ?

Do they fulfil all the conditions of Annex 1 of Regulation (CE) No 70/2001 of the Commission of 12 January 2001, concerning the application of Articles 87 and 88 of the Treaty CE to state aids for SMEs³

6.2. Will the consultancy services be provided by external companies ?

☐ yes ☐ no

Do the external companies have financial links with the undertakings beneficiaries of the aid?

☐ yes ☐ no

Please state the exact nature of the consultancy services:.....

.....

³ Regulation (EC) No 70/2001 of the Commission of 12 January 2001 concerning the application of Article 87 and 88 EC Treaty to State aids to small and medium-sized enterprises, OL L 10, 13.10.2001, p. 33.

7. OPERATING AID TO PROMOTE WASTE MANAGEMENT AND ENERGY SAVING

7.1. What are the extra production costs and what share is covered by the aid?
If the aid is degressive please state the modalities?

7.2. What is the foreseen duration for the application of the notified aid scheme?

7.3. Specific questions in case of aid to promote waste management :

How is it ensured that a beneficiary finances the service provided in proportion to the amount of waste produced and/or the cost of treatment?

In case of an aid for industrial waste management are there Community rules applicable ?

☐ yes ☐ no

If yes, please describe:.....

In the absence of Community rules, are there national rules ?.....

☐ yes ☐ no

If yes, please describe:.....

If, yes, are these national rules stricter than Community rules?

☐ yes ☐ no

If yes, please describe:.....

8. OPERATING AIDS IN FORM OF TAX REDUCTIONS OR EXEMPTIONS

8.1. Introduction of a new tax as a result of a Community obligation

8.1.1. *The Member State grants exemptions which lead to a rate lower than the minimum Community rate*

From which tax will a reduction or exemption be granted?

How does the levying of the tax contribute to environmental protection?

What results have been obtained as a direct consequence of the tax, or are expected to be obtained?

Have these exemptions been authorized by the Council applying Community fiscal rules?

Why is it necessary to apply lower rates than the minimum Community rates?

Are the sectors benefiting from the tax reductions subject to strong intra-community and/or international competition?

How many undertakings may benefit from this measure?

Are those undertakings subject to other charges concerning environmental protection?

8.1.2. *The Member State grants tax reductions at a rate lower than the minimum Community rate*

From which tax will a reduction or exemption be granted ?

How does the levying of the tax contribute to environmental protection ?

What results have been obtained as a direct consequence of the tax, or are expected to be obtained ?...

Are the derogations conditional on the conclusion of agreements between the recipient firms and the Member State in order to improve environmental protection?

☐

yes

☐

no

What is the nature of these agreements ?

Are the agreements open to all sectors of the economy which can benefit from the tax measure ?

If the signing up to an agreement is voluntary and not a condition for receiving the tax benefit, what is the (expected) rate of accession to agreements among the beneficiaries of the tax benefit ?.....

Who ensures the monitoring of the agreements entered into by the firms ?

Which sanctions are foreseen in case of non-compliance of the obligations undertaken in the agreements ?

Attach a copy of such agreements or describe them in detail.

If national rules have the same effects as the above-mentioned agreements, please attach a copy of the rules.

In the absence of agreements between firms and the Member State, what will be the rate effectively paid by the firms after application of

the reduction and what will be the difference between this amount and the minimum Community rate?

8.1.3. *Derogation applicable for the introduction of a new tax imposed in the absence of a Community obligation*

Are the derogations conditional on the voluntary or obligatory conclusion of agreements between the firms and the Member State aiming at an improvement of the environment?

☐ yes ☐ no

What is the nature of such agreements ?

☐ yes ☐ no

Are they open to all sectors of the economy which can benefit from the tax measure ?

☐ yes ☐ no

If the signing up to an agreement is voluntary and not a condition for receiving the tax benefit, what is the rate of accession to agreements among the beneficiaries of the tax benefit ?

Who ensures the respect of the commitments entered into by the firms ?

What are the sanctions in case of non-compliance with the commitments foreseen in the agreements ?

Attach a copy of the draft agreements if available or describe their content.

If there are national rules having the same effect as the aforementioned agreements, attach a copy of these national rules.

In the absence of agreements between firms and the Member State which rate will be effectively paid by the firms after application of the reduction and which will be the difference to the "normal" national rate ?

Please submit figures which enable the Commission to assess the share of the tax actually paid.

Which duration is foreseen for the application of the notified planned aid scheme?

8.1.4. *Derogations applicable to existing taxes*

What is the environmental effect of the tax concerned by the measure?

When was the tax introduced ?

For which beneficiaries ?

Was the decision to grant a tax reduction for the beneficiaries concerned by this notification made in connection with a significant increase of the tax ?

☐ yes ☐ no

If yes, please show the development of the relevant tax rate over time in absolute terms.

Have the derogations become necessary following a significant change in the economic conditions ?

Describe the change.....;

Is this change specific to one Member State or does it exist in all Member States ?.....

Which increase of charges is due to the change of economic conditions ?.....

What is the duration of the application of the notified planned aid scheme?

8.1.5. *Tax exemption necessary for the modernisation of production of energy in order to obtain a higher energy efficiency.*

What traditional energy sources will be used for the production of energy ?.....

What will be the difference in energy efficiency as compared to traditional methods of production ?.....

What additional costs will be caused by the envisaged production ?

.....

9. OPERATING AIDS IN FAVOUR OF RENEWABLE ENERGIES

9.1. Which are the categories of energy in question?

Do these types of energy fall within the definition of renewable energies as set out in Art.2 of Directive 2001/77/CE of the European Parliament and of the Council of 27 September 2001?

9.2. Aids for compensating the difference between the production costs for renewable energies and the market prices for such energy:.....

Are these new plants?

☐ yes ☐ no

What are the average production costs and the difference to the average market price for every source of renewable energy?

Please describe the precise support mechanism and in particular the method for calculating the amount of aid:.....

What is the foreseen duration for amortizing the plants?

Please show that the net present value of the aid will not exceed the net present value of the total investment costs for the power plant or the type of power plant benefiting from the aid.....

If the aid is foreseen for several years, what are the modalities for the revision of production costs and market prices?

Are the plants for the production of renewable energy sources as well eligible for investment aids?

☐ yes ☐ no

If yes, how much?

How will the investment aid be taken into account when determining the need for operating aid?

Does the aid include an element of return on capital?

☐ yes ☐ no

If yes, how much? Please explain why this is considered to be necessary. For the biomass sector, can the aid go beyond the coverage of the investments?

9.3. Aids in the form of market mechanisms

Are these new plants?

☐ yes ☐ no

What are the average costs for the production of the renewable energy in question and the difference to the average market price for energy?

How will the mechanism function?

How is it ensured that the mechanism does not dissuade renewable energy producers from becoming more competitive?

How does the mechanism take imports and exports of electricity into account?

In the case of green certificates will the Member State intervene directly or indirectly in the price - setting?

Can the Member State, if it so wishes, put new certificates on the market or can it buy them?

☐ yes ☐ no

Will the system include a charge to be paid in case of non-fulfilment of an obligation?

☐ yes ☐ no

If yes, how will this money be collected, administered and used?

How will the control be ensured in order to avoid an overall overcompensation of the participating firms?

9.4. Operating aid on the basis of the external costs avoided

Are these new plants?

☐ yes ☐ no

How and by whom have the external costs avoided been calculated? Please submit a reasoned and quantified comparative cost analysis together with an assessment of external costs caused by competing energy producers.....

What is the maximum amount of aid per kWh?

How is control ensured that the amounts of aid going beyond the amount resulting from option 1 is in fact re-invested in the sector or renewable energies?

10. OPERATING AID FOR THE COMBINED PRODUCTION OF HEAT AND ELECTRICITY

10.1. Which primary energy source will be utilised in the production process?

What is the benefit of the planned measure for the environment?

If the conversion efficiency is particularly high, what is the comparative average?

What will be the minimum conversion efficiency of the eligible CHP plants?

In which proportion, if at all, does the measure allow for the reduction of energy consumption?

Have the measures been assessed by an independent expert?

In which aspects and to what extent, if at all, does the production process damage less the environment?

What are the modalities of the planned aid?

What are the average production costs and the average market prices of the produced energies?

What is the average market price of a traditional energy unit?

In case of industrial use of the combined production of heat and electricity, which are the possible benefits from the production of heat?

If the aid is foreseen for several years, which are the conditions for the adjustment of production costs and market prices?

11. OTHER INFORMATION

Please indicate here any other information you consider relevant to the assessment of the measure(s) concerned under the guidelines on aid for environmental protection.

Part III.11
Supplementary Information Sheet on risk capital aid

This supplementary information sheet must be used for the notification of any aid scheme covered by the Communication on State aid and Risk Capital¹. Please note that if the scheme is covered by another framework or guidelines, the corresponding standard notification form for the relevant framework or guidelines should be used instead.

1. BENEFICIARY OF AID

Who is/are the beneficiary/ies of the scheme (please tick one or more boxes as appropriate):

- 1.1 ☐ investors setting up a fund or providing equity in a company or a set of companies. Please specify selection criteria:

.....
.....
.....

- 1.2 ☐ investment fund or other intermediary vehicle. Please specify selection criteria:

.....
.....
.....

- 1.3 ☐ enterprises invested in. Please specify selection criteria:

.....
.....
.....

2. FORM OF AID

- 2.1 The scheme envisages the following measure(s) and/or instrument(s) (please tick one or more boxes as appropriate):

¹ Commission Communication on State aid and Risk Capital, OJ, C 235 of 21.08.2001, p. 3.

☐ constitution of an investment fund (i.e. venture capital fund) in which public authorities are a partner, investor, or participant. Please specify:

.....
.....
.....

☐ grants to an investment fund (i.e. venture capital fund) to cover part of its administrative and management costs. Please specify:

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.....

☐ guarantees to risk capital investors or to risk capital funds against a proportion of investment losses, or guarantees in respect of loans to investors or funds for investment in risk capital. Please specify:

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.....
.....

☐ other financial instruments in favour of risk capital investors or of venture capital funds to provide extra capital for investment. Please specify:

.....
.....
.....

☐ fiscal incentives to investors to undertake risk capital investments. Please specify:

.....
.....
.....

2.2 The combination of the above measure(s) and/or instrument(s) does not lead to the provision of capital to (an) enterprise(s) invested in solely in the form of loans (including subordinated loans and 'equity' loans) or other instruments which provide the investor/lender with a fixed minimum return. Please specify:

.....
.....
.....

3. EXISTENCE OF MARKET FAILURE

3.1 ☐ The maximum tranche of finance for target enterprises financed under the aid scheme does not exceed:

- ☐ EUR 500,000;
- ☐ EUR 750,000 for enterprises located in regions qualifying for assistance under Article 87(3)(c) of the EC Treaty;
- ☐ EUR 1 million for enterprises located in regions qualifying for assistance under Article 87(3)(a) of the EC Treaty.

- 3.2 ☐ If the maximum tranches of finance for target enterprises financed under the aid scheme exceeds the above thresholds, the scheme must be justified by the presence of a 'market failure' in the relevant area(s) of investment. Please specify by adducing supporting evidence:

.....

4. MAIN FEATURES OF AID

- 4.1 The State funds are restricted exclusively or prevalently to effect equity investments into:

☐ enterprises located in assisted regions qualifying under Article 87(3)(a) of the EC Treaty and/or under Article 87 (3)(c) of the EC Treaty.

☐ micro or small enterprises;

☐ medium-sized enterprises in their start-up or other early stages, or located in assisted areas.

☐ for medium-sized enterprises beyond their start-up or other early stages, or not located in assisted areas, there is a limit per enterprise on total funding through the measure. Please specify:

.....

- 4.2 The scheme is focused on risk capital market failure and provides for delivery of finance to enterprises principally in the form of equity or quasi-equity. Please specify if necessary:

.....

4.3 Decisions to invest are profit-driven and there is a link between investment performance and those responsible for investment decisions, demonstrated by the following:

☐ All the capital invested in the target enterprises is provided by market economy investors or

☐ There is a significant involvement of market economy investors' in the target enterprises. Please specify:

.....
.....
.....

4.3.1 In the case of investment funds, the profit-driven character of investments is demonstrated by (please tick one or more as appropriate):

☐ At least 50% of the fund's capital is provided by private investors;

☐ At least 30% of the fund's capital is provided by private investors in the case of measures operating in regions qualifying under Article 87(3)(a) of the EC Treaty or under Article 87(3)(c) of the EC Treaty;

☐ Other factors justifying a different level of private capital. Please describe.....

☐ There is an agreement between a professional fund manager and participants in the fund providing that the manager's remuneration is linked to the performance of the fund and that clearly sets out the objectives of the fund and the timing of investments;

☐ private investors are represented in decision-making;

☐ there is application of best practice and regulatory supervision in the management of the fund.

4.4 ☐ Distortion of competition between investors and investment funds is minimised, as demonstrated by:

☐ a call for tender setting out any preferential terms accorded to private investors;

☐ in case of an investment fund, a public invitation to investors at its launch;

☐ in case of a scheme (e.g. a guarantee scheme), it will remain open to all new entrants.

4.5 ☐ Each investment will be based on the existence of a detailed business plan to establish the viability of each project.

4.6 ☐ A clear 'exit mechanism' is provided under the scheme. Please specify:

.....
.....
.....

4.7 ☐ Is the possibility to recycle funds within a scheme foreseen?

4.8 ☐ Sectoral focus. Target enterprises are active in (a) certain sector(s) of the economy only. Please specify the sector(s) and the underlying commercial as well as public policy logic:

.....
.....
.....

5. CUMULATION OF THE AID

5.1 ☐ If the scheme provides for aid to enterprises invested in, are they already recipients of aid under another framework², including under other authorised schemes? Please specify:

.....
.....
.....

5.2 ☐ If equity provided under the risk capital scheme to enterprises is used to finance initial investment, research and development costs or other costs eligible under other frameworks, is the relevant aid ceiling complied with also taking into account the aid element of the risk capital scheme? Please specify.

.....
.....
.....

6. OTHER INFORMATION

Please indicate here any other information you consider relevant to the assessment of the measure(s) concerned under the communication on aid and risk capital.

² The information to be provided does not cover *de minimis* aid pursuant to Commission Regulation (EC) No 69/2001 of 12 January 2001 on the application of Articles 87 and 88 to *de minimis* aid, OJ L 10, 13.1.2001, p. 30, granted to the same enterprises, which needs not be reported.