

COMPETITION COUNCIL DECISION
no. 52 from March 9th 2006

**on the financial support measures granted over the maximum intensity
for a number of 20 undertakings carrying on activity
in the deprived areas**

THE COMPETITION COUNCIL,

Taking into account the provisions of the European Agreement establishing an association between Romania, and European Communities on one side and the Member States of those, on the other side, approved by Law no 20/1993, published in Official Journal of Romania, Part I, no 73 on April 12th 1993,

Based on the provisions of Competition Law no 21/1996, republished in Official Journal of Romania, Part I, no 742 on August 16th, 2005,

Based on the provisions of Law no 143/1999 on State aid republished in the Official Journal of Romania, Part I, no 744 on August 16th, 2005,

Having regard the provisions of the Regulation on the investigation procedure in the State aid field, published in Official Journal of Romania, Part I, no 257 on March 28th, 2005,

Having regard the provisions of the Regulation on regional State aid, published in Official Journal of Romania, Part I, no 340 on April 19th 2004, with subsequent amendments and completions,

Having regard the provision of the Regulation on state aid for SME's, published in Official Journal of Romania, Part I, no 340 on April 19th 2004, with subsequent amendments and completions,

Having regard the provisions of the Guidelines on interests level in the case of recovery or reimbursement of an illegal or forbidden state aid, applied through the President Competition Council Order no. 51/21.03.2005, published in Official Journal of Romania, Part I, no 253/25.03.2005

Based on the provisions of the Decree no 57/2004 for the appointment of the Competition Council members, published in Official Journal of Romania, Part I, no 143 on February 17th, 2004,

The Report drafted by the case manager and the investigation team following the findings during the investigation opened through the Order of the Competition Council's President no 307/21.11.2005,

Based on the following,

I. PROCEDURE

(1) During the monitoring activity of the Competition Council, the competition inspectors have carried out control activities, in the second semester of 2005, on a number of undertakings i.e.1679, situated in 28 deprived areas. These control actions have been finalized by Finding Notes.

(2) Following the analyses of those Finding Notes it was found that the State aid intensity was exceeded in the case of 19 undertakings.

(3) In 16.11.2005, based on the Note of the Reporting, Monitoring and Control State Aid Department, DRMCAS/1092/16.11.2005, it was proposed to open an *ex officio* investigation procedure; thus the Order of the President of the Competition Council no 307/21.11.2005 was issued. By address no DRMACAS/1096/22.11.2005 the Competition Council has informed the grantor, Ministry of Public Finances, of the investigation procedure on 20 undertakings in deprived areas.

(4) During the investigation procedure, by address no DRMCAS/1095/22.11.2005, the Competition Council requested additional data from the County General Directorates of Public Finances. Some of them have submitted the requested information by the addresses mentioned in paragraph (54).

(5) According to the provisions of Law no 143/1999 on State aid republished¹ and the provisions of the Regulation regarding the investigation procedure in the State aid field², the Order for opening investigation and the Note relating to it have been completed published on the web page of the Competition Council, in order to allow all interested parties to send their comments in 7 days from the publishing date.

(6) The Competition Council did not receive any comments from the Ministry of Public Finances, the beneficiaries or any other interested parties, in the period of time established through the Order for opening investigation.

II. THE DESCRIPTION OF THE SCHEME

II. 1. Legal basis

(7) The legal basis for granting this kind of State aid is ensured by G.E.O. no 24/1998 on deprived areas, with its subsequent amendments and completions, republished (named further GEO no 24/1998)³ and art. 38 of Law no 571/2003 regarding the Fiscal Code⁴.

¹ Law no 143/1999 on state aid, republished in Official Journal no 744/16.08.2005

² Regulation regarding the investigation procedure in the State aid field, published in Official Journal no 257 on March 28th 2005

³ GEO 24/1998 – on deprived areas, republished, with subsequent amendments and completions, published in Official Journal no 545 / 8.11.1999

⁴ Law no 571/ 2003 on Fiscal Code, published in Official Journal no 927 / 23.12.2003.

II. 2. The objective of the scheme

(8) The objective of the scheme is to sustain the development of the deprived areas by encouraging investment in these areas, favouring thereby the enlargement, modernization and diversification of the activities conducted by undertakings in these areas.

II. 3. Purpose of the scheme

(9) The purpose of the scheme is to ensure, that undertakings in deprived areas have the same opportunity to develop as other undertakings in different parts of the country, by granting fiscal facilities, without determining in this way the increase of production capacity in the fields where there are some problems related to overcapacity. Thus, the scheme contributes to the development of these areas by stimulating investments and creating new jobs.

II. 4. The support measures

(10) Art.14¹ par.1 of GEO no 24/1998 establishes that undertakings operating in deprived areas are exempted from payment of profit tax related to the new investment, until them reach the maximum intensity of State aid, according to the Regulation on regional aid, with its subsequent amendments and completions.

II. 5. Duration of the scheme. Geographical coverage

(11) Depending on the deprived area, the duration of the scheme may be different, as follows:

- for 6 deprived areas (Mizil, Nadrag, Marasesti, Nehoiu, Negresti, Harsova), it ended in 2004;
- for 3 deprived areas (Pascani, Roman, Hunedoara), it ended in 2005;
- for deprived area Turda, until the end of 2006;
- for 3 deprived areas (Brad, Valea Jiului, Balan) until the end of 2008;
- for 22 deprived areas (Comanești, Bucovina, Altan Tepe, Filipești, Ceptura, Albeni, Schela, Motru, Rovinari, Rusca Montana, Bocsa, Moldova Noua-Anina, Baraolt, Apuseni, Stei-Nucet, Borod Suncuius-Dobresti-Vadu Crisului, Popești-Derna-Alesd, Ip, Hida-Surduc-Jibou-Balan, Sarmasag-Chiejd-Bobota, Baia Mare, Borsa Viseu, Rodna) until the end of 2009;
- for 3 deprived areas (Cugir, Zimnicea, Copsa Mica) until the end of 2010.

II.6. Sector coverage

(12) Facilities granted through this scheme can be granted to undertakings acting in all sectors of economy, except for the production, manufacturing and trading of agricultural products, mentioned in Annex no 1 to the Regulation on regional State aid, with its subsequent amendments and completions⁵, as well as for fishery, coal and steel industry.

⁵ Regulation on regional state aid, published in Official Journal no 340 on 19.04.2004

II. 7. Beneficiaries

(13) Of this facility can benefit all the undertakings that have obtained the investor certificate before the July 1st, 2003, business companies with private capital, that have their head office and operate in a declared deprived area and which create, by investing in the area, new jobs for the unemployed persons or their family members living in deprived areas.

(14) Some of the beneficiaries which benefited by supporting measures exceeded the admissible maximum intensity. They are SME, operating in the following counties: Alba, Bistrita - Nasaud, Hunedoara, Prahova and Salaj.

III. Reasoning for opening the investigation procedure

(15) The investigation procedure started *ex officio*, stating as its objective to analyze the compatibility of the facilities granted in deprived areas above the maximum level of intensity, in order to take the proper measures according to the Law no 143/1999 on State aid, republished.

IV. Points of view received from beneficiaries, grantors or any other interested person

(16) The Competition Council did not receive any comments from the beneficiaries, grantors or any other interested person in the legal period of 7 days mentioned in the opening investigation Order.

V. Evaluation of the State aid measures

V.1. State aid nature

(17) In order to be considered State aid in the meaning of the Law no 143/1999 on State aid, republished, the financial support must cumulatively fulfil the four conditions provided in art. 2, par. (1) from the Law:

- To be granted by the State, from State resources;
- To be selective,
- To provide an economic advantage,
- To distort or threaten to distort the competition or the trade between Romania and Member States of the European Union.

State aid granted by the State or from State resources

(18) First, the financial support has to come from State resources. The support measures representing exemption from payment of profit tax. According to the provisions of art. 2 (8) of Law no 143/1999 on State aid, republished, the State renounces to cash in future revenues, which represents undoubtedly a financial support granted by the State, from State resources.

Selectivity

(19) Second, in order for a measure to be considered State aid, the measure has to be selective, to foster certain undertakings or the production of certain products. The exemption from payment of profit tax is granted only to undertakings which have obtained an investor certificate in a deprived area, before the 1st of July 2003; other undertakings can not benefit from this facility. Considering the fact that the measure confers an economic advantage only to some undertakings, the support measure is therefore selective.

Economic advantage

(20) The third condition is that the measure has to confer to the beneficiary an economic advantage. These undertakings that have obtained investor certificate in deprived area, before the 1st of July 2003, are exempted from paying taxes which, normally, have been covered from their own resources, thus conferring them an economic advantage comparatively with new undertakings that are required to pay such taxes.

The distortion of the competition or the trade between Romania and Member States

(21) In order to be considered state aid, the support measure must distort competition or the trade between Romania and Member States of the EU. As these support measures are granted to certain undertakings, located in deprived areas, the financial support creates the possibility of distorting the competition on the undertakings market (the markets that are mentioned in the paragraph 54).

(22) Given the above mentioned it is considered that the financial support measure instituted by GEO no 24/1998, with subsequent amendments and completions and by Fiscal Code, represents State aid and falls under the provisions of the Law no 143/1999 on State aid republished.

V.2. Assessment of fulfilling the granting conditions

(23) In the Accession Treaty⁶ of Romania to the European Union, Annex no VII, for deprived areas is mentioned a transitory period, as follows:

“ [...] for undertakings which were given the permanent investor certificate in a deprived area before 1st of July 2003, Romania may continue granting exemptions from the profit tax on the basis of GEO no 24/1998 on deprived areas, as amended:

- for 3 deprived areas (Brad, Valea Jiului, Balan) up to and including 31 December 2008,

⁶ Law no 157/2005 on ratifying the Treaty between Belgium Kingdom, Czech Republic, Kingdom of Denmark, Federal Republic of Germany, Republic of Estonia, Republic of Greece, Kingdom of Spain, French Republic, Ireland, Republic of Italy, Republic of Cyprus, Republic of Latvia, Republic of Lithuania, Great Duchy of Luxemburg, Republic of Hungary, Republic of Malta, Kingdom of Netherlands, Republic of Austria, Republic of Poland, Republic of Portugal, Republic of Slovenia, Republic of Slovak, Republic of Finland, Kingdom of Suede, United Kingdom of Great Britain and Northern Ireland (member states of European Union) and Republic of Bulgaria and Romania regarding the accession of Republic of Bulgaria and of Romania to European Union, signed by Romania at Luxemburg on 5 April 2005, published in the Official Gazette no 465 from 01.06.2005

- for 22 deprived areas (Comanesti, Bucovina, Altan Tepe, Filipesti, Ceptura, Albeni, Schela, Motru, Rovinari, Rusca Montana, Bocsă, Moldova Nouă-Anina, Baraolt, Apuseni, Stei-Nucet, Borod Suncuius-Dobresti-Vadu Crisului, Popesti-Derna-Alesd, Ip, Hida-Surduc-Jibou-Balan, Sarmasag-Chiejd-Bobota, Baia Mare, Borsa Viseu, Rodna) up to and including 31 December 2009,
- for 3 deprived areas (Cugir, Zimnicea, Copsa Mica) up to and including 31 December 2010;

under the following **conditions**:

- the State aid is granted for regional investments;
- the net intensity of such regional aid shall not exceed the rate of 50% Net Grant Equivalent. This ceiling may be raised for small and medium-sized enterprises by 15 percentage points [...]"

(24) According to GEO no 24/1998, the same conditions have to be fulfilled in the case of deprived areas with a duration ending in 2004, and also for the ones with duration until 2005 and 2006.

(25) Art.14¹ (1) of GEO no 24/1998 stipulates: "The undertakings that carry on their activities in deprived areas benefit from the fiscal facilities mentioned in art. 6, until reaching the maximum intensity of the State aid, according to the Regulation on regional aid, approved by the Competition Council."

(26) According to art. 6 of GEO no 24/1998, the undertakings acting in deprived areas benefit, for the new investments, from profit tax payment exemption, for the entire existing period of the deprived area.

(27) Taking into consideration the above mentioned, any regional aid, granted as an exemption from payment of profit tax in deprived areas which does not fulfil the conditions mentioned in the Accession Treaty of the Romania to the European Union and in GEO no 24/1998, can distort competition or the trade between Romania and Member States of the EU.

Eligibility of the areas and the beneficiaries

(28) According to the provisions of art. 1(1) of GEO no24/1998, deprived area means a strictly determined area, that fulfils one of the following conditions:

- „the weight of the unemployed in the workforce of the area has to be at least three time bigger than the weight of the unemployed in the national workforce, in the last three months before elaborating the documentation for declaring the area as a deprived one;
- these areas are isolated areas, lacking means of communications and the infrastructure is under-developed."

(29) All areas declared deprived are eligible to receive the aid granted based on GEO no 24/1998.

(30) Based on the information received, the Competition Council finds that these 20 undertakings carry on their activity in the followings deprived areas: Cugir, Rodna, Hunedoara, Brad, Valea Jiului, Filipesti, Ip.

(31) Also, as far as it concerned the beneficiaries' activity, according to their NACE code, as they are registered at the Trade Register, the undertakings framed in the activity areas for which the granting of regional state aid are allowed by the Regulation regarding regional aid with subsequent amendments and completions.

(32) Moreover, in order to be eligible and to benefit from the facilities provided by GEO no 24/1998, the undertakings should be in possession of an investor certificate in one of the deprived areas prior to July 1st, 2003. Also, they need to be companies with private majority capital, headquarters located in deprived areas, and operating in deprived areas, or private entrepreneurs, family associations.

(33) From the Finding Notes elaborated by the competition inspectors, the investigation team found that all the 20 undertakings have such an investor certificate, being, therefore, eligible to benefit from State aid as exemption from payment of profit tax.

Aid for the initial investment

(34) The undertakings benefited from State aid for initial investments.

(35) The initial investment was considered to be any investment in fixed capital for the purpose of creating a new unit, expanding an existing one, or starting an activity that requires a fundamental change in the product or the production process of an existing unit, through rationalization, diversification or modernization.

Eligible costs

(36) The eligible costs for investments in tangible assets are the costs related to the acquisition of elements related to the investments, respectively lands, buildings and equipments, necessary for the production process. For transport sector, except for the rolling stock, the expenditure for acquisition of transport means and material, mobile goods are not considered eligible costs.

(37) Assessing the Finding Notes drawn up by the competition inspectors, it can be ascertained that the State aid was generally granted for the acquisition of equipments, buildings and lands. For the undertakings that operate in the transport sector, the expenditure for acquisition of transport means and material, mobile goods were excluded from the basis of computation.

Beneficiaries' contribution

(38) In order to guarantee a viable and efficient level of the investments that benefit from State aid, the beneficiaries' contribution should be at least 25%.

(39) From the information that it possesses, the Competition Council ascertains that from these 20 undertakings, only 5 had own contribution to the investment that exceeded 25%.

Intensity

(40) The State aid intensity for the initial investment is established as a ratio between the amount of state aid and the value of eligible costs for the investment.

(41) As it is mentioned also in the Accession Treaty, the State aid intensity must not exceed the following limits:

- 50% for large business;
- 65% for SME (except for the transport sector);

(42) According to the provisions of GEO no 24/1998, the following elements are taken into consideration in establishing the State aid intensity:

- eligible costs for the investments made until 15.09.2004 (but after the moment when the area was declared as deprived);
- the amount of the State aid received by the undertakings starting with 02.01.2003.

(43) According to the information received during the investigation, the value of State aid and the intensity has been established individually for all undertakings, taking into consideration the followings aspects:

- all of them are SME, of which 4 carry on their activity in transports sector;
- in order to calculate intensity it were taking into consideration the eligible costs afferent of the investments realised until September 15th, 2004 (but after the date when the area it was declared as deprived one), respectively the state aid as exemption from the payment of the profit tax received by the undertakings starting at January 2nd 2003 until June 30th 2005.

VI. METHODOLOGICAL ASPECTS

(44) **The gross intensity of the state aid** represents the value of the state aid, quantified before applying direct taxes, expressed as a percent from the eligible costs of the investment⁷. The net intensity of the state aid represents the value of the state aid, quantified after applying direct taxes, expressed as a percent from the eligible costs of the investment⁸.

(45) Take into consideration that on the state aid, as exemptions from the payment of profit tax, there were not applied direct taxes, the value of the gross intensity is the same with the value of the net intensity of the state aid. The Competition Council takes into consideration in it's analyze the value of the gross intensity of the state aid.

(46) According to the provisions of the Regulation on regional state aid, with subsequent completions and amendments, the maximum admissible level of the gross intensity is 50% from the eligible costs (65% in the SME's case, except transports).

(47) In order **to determine the moment of exceeding the admissible gross intensity** it were taken into consideration the followings aspects:

1. obligativity to distinguish, to calculate and to report quarterly the profit tax owed for the activities carry on in the deprived areas.
2. 25th of the month following the ending of the reported quarter as dead-line for payment the profit tax;
3. maximum value of state aid of which an undertaking can benefited, reported at the eligible costs of the investment;

⁷ art. (2), point VI, align (16) 1 from the Regulation from March 23rd 2004 regarding state aid for SME

⁸ art. (2), point VI, align (18) from the Regulation from March 23rd 2004 regarding state aid for SME

4. value of the state aid as exemptions as the payment of profit tax for each quarter;
5. obligativity to maintain the investment.

(48) In order **to determine the interest level**, used in the case of recovery or reimbursement of an illegal or forbidden state aid, it were applied the provisions of the *Guidelines on interests level in the case of recovery or reimbursement of an illegal or forbidden state aid*, applied through the President Competition Council Order no. 51/21.03.2005, published in Official Journal of Romania, Part I, no 253/25.03.2005.

(49) The interest level applied is the interest enforced at the moment when the illegal state aid was put at the disposal of the undertakings. This interest it will be applied until the recovery moment of the state aid, being applied the capitalization principle.

(50) The interest level used in the case of recovery the illegal state aid is the same as the level of reference interest of the National Bank of Romania in the first working day of the year, for the interest afferent to the state aid granted during the first semester of the year. In order to calculate the interest afferent to the state aid granted during the second semester of the year it is used the reference interest of the National Bank of Romania for the first working day from July.

(51) When the level of the reference interest of the National Bank of Romania has been modified with more than 5 percent points comparative with the initial interest, the level of the interest has been modified consequently. The new level of the intensity it is applied from the first day of the following month in which the level of the intensity is modified.

(52) The interest quantum was determined for each undertaking by totalizing the absolute values of the interests, which resulted due to the applying of the reference interests on the value of exemptions from the payment of profit tax quarterly reported.

(53) Taking into consideration the possibility to exist some payments effectuated by the undertakings above mentioned, after 01.08.2005, in the profit tax account, without the Competition Council knowledge, through the present decision it has been calculated recovery interests for the illegal and incompatible state aid for the period starting from the moment in which the beneficiary had benefited by state aid until 31.07.2005.

VII. THE ANALYZE OF THE UNDERTAKINGS STATUS

(54) The status of the undertakings it is presented as follows:

1. SC FINNOTEX SRL

SC FINNOTEX SRL - Cugir, 5 Raul Mic Street, Alba County, N.A.C.E. Code 1822 – Manufacture of other outerwear, unique registration code 13698860, J01/53/2001, investor certificate in deprived area Cugir no 125/03.07.2001, is a SME.

According to the Finding Note no AB 110/15.09.2005, drawn-up by the competition inspectors on the basis of the accounting submitted by the undertaking and signed by the enterprise representative, the situation of the State aid received and of the eligible realized investment stands like this:

- the State aid i.e. tax exemption during 2003 - first semester 2005: ROL 11,007,714 thousands (RON 1,100,771.4);

- the amount of investments: **ROL 14,976,616 thousands (RON 1,497,661.6)**, as buildings, outfits and production equipments.

According to the address no 690636/08.12.2005, registered at the Competition Council with RG no 9588/12.12.2005, sent by the Ministry of Public Finance, as grantor of state aid and the address no 4/05.01.2006, registered at the Competition Council with RG no 91/09.01.2006, sent by the Competition Inspectorate of Alba County, the value of the state aid granted to SC FINNOTEX SRL as exemption from the payment of profit tax is ROL 2,173,256 thousands (RON 217,325.6) for 2003, ROL 7,205,452 thousands (RON 725,045.2) for 2004, respectively ROL 1,794,562 thousands (RON 179.456,2) for the first semester of 2005, resulting a total value different by the value found out by the competition inspectors, in quantum of **ROL 11,218,270 thousands (RON 1,121,827)**. This value was considered in order to determine the gross intensity of the state aid.

Taking into account the new investment and the value of the State aid transmitted by the MPF, the gross intensity of State aid received by SC FINNOTEX SRL is **74.9%**, exceeding the maximum admissible level of 65%. The exceeding has been registered since 25.04.2005.

In accordance with the legal provisions in force, taking into account the value of the eligible investment carried out by SC FINNOTEX SRL, this undertaking had the right to benefit of State aid in quantum of ROL 9,734,800 thousands (RON 973,480). The difference of **ROL 1,483,469 thousands (RON 148,346.9)** represents State aid received by SC FINNOTEX SRL without observance of the rules on maximum admissible level of intensity (respectively 65%) and on realizing investments.

2. SC SALEM LAZAR SRL

SC SALEM LAZAR SRL, Rodna, 1461 Principala Street, Bistrita Nasaud County, N.A.C.E. Code 2010 – sawmilling and planning of wood, impregnation of wood, unique registration code 12673078, J06/46/2000, investor certificate in deprived area Rodna no 1253/10.08.2001, is a S.M.E.

According to the Finding Note no MS 191/06.10.2005, drawn-up by the competition inspectors on the basis of the accounting submitted by the undertaking and signed by the enterprise representative, the situation of the State aid received and of the eligible realized investment stands like this:

- the State aid during 2003 – first semester 2005: ROL 180,743 thousands (RON 18,074.3)
- the amount of investments: **ROL 122,620 thousands (RON 12,262)**, representing outfits and production equipments.

According to the address no 5463/07.12.2005, registered at the Competition Council with RG no 9589/12.12.2005, sent by the General Directorate of Public Finance Bistrita-Nasaud, as grantor of state aid the value of the state aid granted to SC SALEM LAZAR SRL as exemption from the payment of profit tax is **ROL 180,743 thousands (RON 18,074.3)** for the first semester of 2005, confirming the value of state aid determined during the control action realized by the competition inspectors.

Taking into account the new investment and the State aid received, the gross intensity of State aid received by SC SALEM LAZAR SRL is **147.4%**, exceeding the maximum admissible level of intensity of 65%. The exceeding has been registered since 25.04.2005.

In accordance with the legal provisions in force, taking into account the value of the eligible investment realized by SC SALEM LAZAR SRL, this undertaking had the right to benefit of State aid in quantum of ROL 79,703 thousands (RON 7,970.3). The difference of

ROL 101,040 thousands (RON 10,104) represents State aid received by SC SALEM LAZAR SRL without observance of the rules on the maximum admissible level of intensity (respectively 65%) and on the realizing investments.

3. SC BKD ELECTRONIC SA

SC BKD ELECTRONIC SA, Petrosani, 3 Anghel Saligny Street, Hunedoara County, N.A.C.E. code 3330 – the production of measuring, adjusting and controlling equipments for industrial processes, unique registration code 11823088, J20/449/1999, investor certificate in deprived area Valea Jiului no 99/11.11.1999, is a S.M.E.

According to the Finding Note no HD /13.10.2005, drawn-up by the competition inspectors on the basis of the accounting submitted by the undertaking and signed by the enterprise representative, the situation of the State aid received and of the eligible realized investment stands like this:

- the State aid during 2003 – first semester 2005: ROL 2,959,731 thousands (RON 295,973.1)
- the amount of investments: **ROL 3,574,036 thousands (RON 357,403.6)**, representing: outfits, production equipments and transport devices used in the production process

According to the address no 399/24.01.2006, registered at the Competition Council with DRMCAS no 112 bis/24.01.2006, sent by the General Directorate of Public Finance Hunedoara, as grantor of state aid the value of the state aid granted to SC BKD ELECTRONIC SRL as exemption from the payment of profit tax is ROL 1,068,169 thousands (RON 106,816.9) for 2003, ROL 1,097,742 thousands (RON 109,774.2) for 2004, respectively ROL 793,820 thousands (RON 79,382) for the first semester of 2005, resulting a total value **ROL 2,959,731 thousands (RON 295,973.1)**, confirming the value of state aid determined during the control action realized by the competition inspectors.

Taking into account the new investment and the State aid received, the gross intensity of State aid received by SC BKD ELECTRONIC SA is **82.81%**, exceeding the maximum admissible level of intensity of 65%. The exceeding has been registered since 25.07.2005.

In accordance with the legal provisions in force, taking into account the value of the eligible investment realized by SC BKD ELECTRONIC SA, this undertaking had the right to benefit of State aid in quantum of ROL 2,323,123 thousands (RON 232,312.3). The difference of **ROL 636,608 thousands (RON 63,660.8)** represents State aid received by SC BKD ELECTRONIC SA without observance of the rules on the maximum admissible level of intensity (respectively 65%) and on the realizing investments.

4. SC CATALIN INTERNATIONAL SRL

SC CATALIN INTERNATIONAL SRL, Brad, 54 Avram Iancu Street, Hunedoara County, N.A.C.E. code 3611 – production of chairs, unique registration code 11823010, J20/460/1999, investor certificate in deprived area Brad no 184/24.01.2000, is a S.M.E..

According to the Finding Note no HD 163/31.03.2005, drawn-up by the competition inspectors on the basis of the accounting submitted by the undertaking and signed by the enterprise representative, the situation of the State aid received and of the eligible realized investment stands like this:

- the State aid during 2003 – first semester 2005: ROL 11,581,406 thousands (RON 1,158,140.6)

- the amount of investments: **ROL 9,065,256 thousands (RON 906,525.6)** as production equipments.

According to the address no 29361/13.12.2005, registered at the Competition Council with RG no 9761/16.12.2005, sent by the General Directorate of Public Finance Hunedoara, as grantor of state aid the value of the state aid granted to SC CATALIN INTERNATIONAL SRL as exemption from the payment of profit tax is ROL 8,152,636 thousands (RON 815.263,6) for 2004, respectively ROL 3,428,770 thousands (RON 342,877) for the first semester of 2005, resulting a total value of **ROL 11,581,406 thousands (RON 1,158,140.6)**, confirming the value of state aid determined during the control action realized by the competition inspectors.

Taking into account the new investment and the State aid received, the gross intensity of State aid received by SC CATALIN INTERNATIONAL SRL is **127.75 %**, exceeding the maximum admissible level of intensity of 65%. The exceeding has been registered since 25.01.2005.

In accordance with the legal provisions in force, taking into account the value of the eligible investment realized by SC CATALIN INTERNATIONAL SRL, this undertaking had the right to benefit of State aid in quantum of ROL 5,892,416 thousands (RON 589,241.6). The difference of **ROL 5,688,990 thousands (RON 568,899)** represents State aid received by SC CATALIN INTERNATIONAL SRL without observance of the rules on the maximum admissible level of intensity (respectively 65%) and on the realizing investments.

5. SC COLONIA BRATIANU COMIMPEX SRL

SC COLONIA BRATIANU COMIMPEX SRL, Petrila, 19 Parcului Street, Hunedoara County, N.A.C.E. Code 0201 – forestry and lumber station, unique registration code 4125120, J20/1122/1993, investor certificate in deprived area Valea Jiului no 272/07.04.2000 is a S.M.E..

According to the Finding Note no HD 674/24.09.2005, drawn-up by the competition inspectors on the basis of the accounting submitted by the undertaking and signed by the enterprise representative, the situation of the State aid received and of the eligible realized investment stands like this:

- the State aid during 2003 – first semester 2005: ROL 178,668 thousands (RON 17,866.8)
- the amount of investments: **ROL 208,354 thousands (RON 20,835.4)** as buildings, outfits, production equipments and transport means used in production.

Taking into account the new investment and the State aid received, the gross intensity of State aid received by SC COLONIA BRATIANU COMIMPEX SRL is **85.75%**, exceeding the maximum admissible level of intensity of 65%. The exceeding has been registered since 25.07.2004.

In accordance with the legal provisions in force, taking into account the value of the eligible investment realized by SC COLONIA BRATIANU COMIMPEX SRL, this undertaking had the right to benefit of State aid in quantum of ROL 135,430 thousands (RON 13,543). The difference of **ROL 43,238 thousands (RON 4,323.8)** represents State aid received by SC COLONIA BRATIANU COMIMPEX SRL without observance of the rules on the maximum admissible level of intensity (respectively 65%) and on the realizing investments.

6. SC CONSTRUCT CONSULT SRL

SC CONSTRUCT CONSULT SRL, Brad, Avram Iancu Street, 43/33 block, Hunedoara County, N.A.C.E. Code 7420 – architecture, engineering and buildings services, unique registration code 12980196, J20/238/2000, investor certificate in deprived area Brad, no. 530/18.01.2001, is a S.M.E.

According to the Finding Note no. HD 558/16.09.2005, drawn-up by the competition inspectors on the basis of the accounting submitted by the undertaking and signed by the enterprise representative, the situation of the State aid received and of the eligible realized investment stands like this:

- the State aid received during 2003 – first semester 2005: ROL 64,438 thousands (RON 6,443.8)
- the investments amount: **ROL 15,504 thousands (RON 1,550.4)** representing production equipments.

According to the address no. 29361/13.12.2005, registered by the Competition Council under no. RG 9761/16.12.2005, submitted by the General Directorate of Public Finance Hunedoara, as a State aid grantor, the value of the State aid granted to SC CONSTRUCT CONSULT SRL consisting of exemption from the profit tax payment is ROL 34,773 thousands (RON 3,477.3) for year 2003, respectively ROL 26,240 thousands (RON 2,624) for year 2004; it can be noticed that the total value of **ROL 61,013 thousands (RON 6,101.3)** is different from the value found out by the competition inspectors. This value was taken into consideration in order to determine the State aid gross intensity.

Taking into account the new investment and the State aid received, the gross intensity of State aid received by SC CONSTRUCT CONSULT SRL is **393.53%**, exceeding the gross intensity maximum admissible level of 65%. The exceeding has been registered since 25.01.2004.

In accordance with the legal provisions in force, taking into account the value of the eligible investment realized by SC CONSTRUCT CONSULT SRL, this undertaking had the right to benefit of State aid in quantum of ROL 10,078 thousands (RON 1,007.8). The difference of **ROL 50,935 thousands (RON 5,093.5)** represents State aid received by SC CONSTRUCT CONSULT SRL without observance of the rules on the maximum admissible level of State aid gross intensity (65%) and on realizing investments.

7. SC ERGOFORM SRL

SC ERGOFORM SRL, Luncoiu, 1 Valea Lunga Street, Hunedoara County, N.A.C.E. code 3616 – production of ergonomics and fixed metal chairs, unique registration code 11574386, J20/204/1999, investor certificate in deprived area Brad no. 16/22.07.1999, is a S.M.E..

According to the Finding Note no. HD 572/09.09.2005, drawn-up by the competition inspectors on the basis of the accounting submitted by the undertaking and signed by the enterprise representative, the situation of the State aid received and of the eligible realized investment stands like this:

- the State aid received during 2003 – first semester 2005: ROL 8,547,666 thousands (RON 854,766.6)
- the investments amount: **ROL 12,144,451 thousands (RON 1,214,445.1)** representing landings, buildings, production equipments and transport means used in production.

Taking into account the new investment and the State aid received, the gross intensity of State aid received by SC ERGOFORM SRL is **70.38%**, exceeding the gross intensity maximum admissible level of 65%. The exceeding has been registered since 25.04.2005.

In accordance with the legal provisions in force, taking into account the value of the eligible investment realized by SC ERGOFORM SRL, this undertaking had the right to benefit of State aid in quantum of ROL 7,893,893 thousands (RON 789,389.3). The difference of **ROL 653,773 thousands (RON 65,377.3)** represents State aid received by SC ERGOFORM SRL without observance of the rules on the gross intensity maximum admissible level (65%) and on realizing investments.

8. SC EUROSTIL CONSTRUCT SRL

SC EUROSTIL CONSTRUCT SRL, Brad, 112-133 Mesteacan Street, Hunedoara County, N.A.C.E. code 2811 – manufacture of metal construction and parts, unique registration code 12005613, J20/623/1999, investor certificate in deprived area Brad no. 42/31.08.1999, is a S.M.E..

According to the Finding Note no. HD from 05.10.2005, drawn-up by the competition inspectors on the basis of the accounting submitted by the undertaking and signed by the enterprise representative, the situation of the State aid received and of the eligible realized investment stands like this:

- the State aid received during 2003 – first semester 2005: ROL 1,422,118 thousands (RON 142,211.8)
- the investments amount: **ROL 1,285,892 thousands (RON 128,589.2)** representing landings, buildings, production equipments and transport means used in production.

According to the address no. 29361/13.12.2005, registered by the Competition Council under no. RG 9761/16.12.2005, submitted by the General Directorate of Public Finance Hunedoara, as a State aid grantor, the value of the State aid granted to SC EUROSTIL CONSTRUCT SRL consisting of exemption from the profit tax payment is ROL 630,156 thousands (RON 63,015.6) for year 2003, respectively ROL 800,246 thousands (RON 80,024.6) for year 2004; it can be noticed that the total value of **ROL 1,430,402 thousands (RON 143,040.2)** was different from the value found out by the competition inspectors. This value was taken into consideration in order to determine the State aid gross intensity.

Taking into account the new investment and the State aid received, the gross intensity of State aid received by SC EUROSTIL CONSTRUCT SRL is **111.23%**, exceeding the gross intensity maximum admissible level of 65%. The exceeding has been registered since 25.04.2004.

In accordance with the legal provisions in force, taking into account the value of the eligible investment realized by SC EUROSTIL CONSTRUCT SRL, this undertaking had the right to benefit of State aid in quantum of ROL 835,830 thousands (RON 83,583). The difference of **ROL 594,572 thousands (RON 59,457.2)** represents State aid received by SC EUROSTIL CONSTRUCT without observance of the rules on the gross intensity maximum admissible level (65%) and on realizing investments.

9. SC GRUP 95 SA

SC GRUP 95 SA, Aninoasa, 303A Danutoni Costeni Street, Hunedoara County, N.A.C.E. code 6342 – warehousing, unique registration code 2664447, J20/2161/1992, investor certificate in deprived area Valea Jiului no. 225/21.02.2000, is a S.M.E..

According to the Finding Note no. HD from 13.10.2005, drawn-up by the competition inspectors on the basis of the accounting submitted by the undertaking, the situation of the State aid received and of the eligible realized investment stands like this:

- the State aid received during 2003 – first semester 2005: ROL 16,421,924 thousands (RON 1,642,192.4)
- the investments amount: **ROL 6,614,649 thousands (RON 661,464.9)** representing landings, buildings, production equipments.

Taking into account the new investment and the State aid received, the gross intensity of State aid received by SC GRUP 95 SA is **248.27%**, exceeding the gross intensity maximum admissible level of 65%.

At 12.04.2005, SC GRUP 95 SRL sold a part of the investment and starting with that moment, the undertaking exceeded the State aid gross intensity maximum admissible level.

That date emerges from the legalization certificate (no. 1630/12.04.2005) of the selling agreement, certificate that was submitted by the undertaking.

In accordance with the legal provisions in force, taking into account the value of the eligible investment realized by SC GRUP 95 SA, this undertaking had the right to benefit of State aid in quantum of ROL 4,299,522 thousands (RON 429,952.2). The difference of **ROL 12,122,402 thousands (RON 1,212,240.2)** represents State aid received by SC GRUP 95 SA without observance of the rules on the gross intensity maximum admissible level (65%) and on realizing investments.

It has to be mentioned that although the representative of the undertaking put the accounting at the competition inspectors' disposal he refused to sign the Finding Note.

10. SC INTERCONT SERV JDP SRL

SC INTERCONT SERV JDP SRL, Brad, 15 Motilor Street, Hunedoara County, N.A.C.E. code 7412 – financial accounting, unique registration code 11874006, J20/439/1999, investor certificate in deprived area Brad no. 448/11.10.2000, is a S.M.E.

According to the Finding Note no. HD from 07.10.2005, drawn-up by the competition inspectors on the basis of the accounting submitted by the undertaking and signed by the enterprise representative, the situation of the State aid received and of the eligible realized investment stands like this:

- the State aid received during 2003 – first semester 2005: ROL 1,350,182 thousands (RON 135,018.2)
- the investments amount: **ROL 494,537 thousands (RON 49,453.7)** representing production equipments and transport means used in production.

According to the address no. 29361/13.12.2005, registered by the Competition Council under no. RG 9761/16.12.2005, submitted by the General Directorate of Public Finance Hunedoara, as a State aid grantor, the value of the State aid granted to SC INTERCONT SERV JDP SRL consisting of exemption from the profit tax payment is ROL 559,856 thousands (RON 55,985.6) for year 2003, ROL 564,150 thousands (RON 56,415) for year 2004, respectively ROL 226,177 thousands (22,617.7 RON) for the first semester of 2005; it can be noticed that the total value of **ROL 1,350,183 thousands (RON 135,018.3)** is different from the value found out by the competition inspectors. This value was taken into account in order to determine the State aid gross intensity.

Taking into account the new investment and the State aid received, the gross intensity of State aid received by SC INTERCONT SERV JDP SRL is **273%**, exceeding the gross intensity maximum admissible level of 65%. The exceeding has been registered since 25.10.2003.

In accordance with the legal provisions in force, taking into account the value of the eligible investment realized by SC INTERCONT SERV JDP SRL, this undertaking had the right to benefit of State aid in quantum of ROL 321,449 thousands (RON 32,144.9). The difference of **ROL 1,028,734 thousands (RON 102,873.4)** represents State aid received by SC INTERCONT SERV JDP SRL without observance of the rules on the gross intensity maximum admissible level and on realizing investments.

11. SC INTERSERVICE SRL

SC INTERSERVICE SRL, Hunedoara, 17 T. Vladimirescu Street, Hunedoara County, N.A.C.E. code 602 – timetable person transport, unique registration code 2126405, J20/1038/1991, investor certificate in deprived area Hunedoara no. 787/14.08.2001, is a S.M.E..

According to the Finding Note no. HD 858/06.12.2005, drawn-up by the competition inspectors on the basis of the accounting submitted by the undertaking and signed with objections by the enterprise representative, the situation of the State aid received and of the eligible realized investment stands like this:

- the State aid received during 2003 – first semester 2005: ROL 205,487 thousands (RON 20,548.7)
- the investments amount: **ROL 116,187 thousands (RON 11,618.7)** as production equipments.

Taking into account the new investment and the State aid received, the intensity of State aid received by SC INTERSERVICE SRL is **176.85%**, exceeding the gross intensity maximum admissible level of 50%. The exceeding has been registered since 25.04.2005.

In accordance with the legal provisions in force, taking into account the value of the eligible investment realized by SC INTERSERVICE SRL, this undertaking had the right to benefit of State aid in quantum of ROL 58,093.5 thousands (RON 5,809.35). The difference of **ROL 147,393.5 thousands (RON 14,739.35)** represents State aid received by SC INTERSERVICE SRL without observance of the rules on the gross intensity maximum admissible level (50%) and on realizing investments.

12. SC LABORATORUL SPORTUL SRL

SC LABORATORUL SPORTUL SRL, Petrosani, 19A Calea Romana Street, Hunedoara County, N.A.C.E. Code 1582 – production of biscuits, wafers and other assimilated products, unique registration code 12553675, J20/932/1999, investor certificate in deprived area Valea Jiului no. 26/27.03.2000, is a S.M.E..

According to the Finding Note no. HD 784/21.09.2005, drawn-up by the competition inspectors on the basis of the accounting submitted by the undertaking and signed by the enterprise representative, the situation of the State aid received and of the eligible realized investment stands like this:

- the State aid received during 2003 – first semester 2005: ROL 3,242,833 thousands (RON 324,283.3)
- the investments amount: **ROL 4,306,461 thousands (RON 430,646.1)** representing landings, buildings, production equipments and transport means used in production.

Taking into account the new investment and the State aid received, the gross intensity of State aid received by SC LABORATORUL SPORTUL SRL is **75.3%**, exceeding the gross intensity maximum admissible level of 65%. The exceeding has been registered since 25.04.2005.

In accordance with the legal provisions in force, taking into account the value of the eligible investment realized by SC LABORATORUL SPORTUL SRL, this undertaking had the right to benefit of State aid in quantum of ROL 2,799,200 thousands (RON 279,920). The difference of **ROL 443,633 thousands (RON 44,363.3)** represents State aid received by SC LABORATORUL SPORTUL SRL without observance of the rules on the gross intensity maximum admissible level (65%) and on realizing investments.

13. SC LUVIRA SRL

SC LUVIRA SRL, Brad, 54 Avram Iancu, Hunedoara County, N.A.C.E. code 2030 – manufacture of carpentry elements, unique registration code 12782377, J20/152/2000, investor certificate in deprived area Brad no. 518/09.11.2001, is a S.M.E..

According to the Finding Note no. HD 588/14.09.2005, drawn-up by the competition inspectors on the basis of the accounting submitted by the undertaking and signed by the enterprise representative, the situation of the State aid received and of the eligible realized investment stands like this:

- the State aid received during 2003 – first semester 2005: ROL 479,996 thousands (RON 47,999.6)
- the investments amount: **ROL 30,000 thousands (RON 3,000)** representing production equipments.

According to the address no. 29361/13.12.2005, registered by the Competition Council under no. RG 9761/16.12.2005, submitted by the General Directorate of Public Finance Hunedoara, as a State aid grantor, the value of the State aid granted to SC LUVIRA SRL consisting of exemption from the profit tax payment – **ROL 480,081 thousands (RON 48,008.1)** for the first semester 2005 – is different from the value found out by the competition inspectors. This value was taken into consideration in order to determine the State aid gross intensity.

It must be mentioned that the undertaking benefited by the exemption from the profit tax payment only in the 1st semester of the fiscal year 2005.

Taking into account the new investment and the State aid received, the gross intensity of State aid received by SC LUVIRA SRL is **1,600.27%**, exceeding the gross intensity maximum admissible level of 65%. The exceeding has been registered since 25.04.2005.

In accordance with the legal provisions in force, taking into account the value of the eligible investment realized by SC LUVIRA SRL, this undertaking had the right to benefit of State aid in quantum of ROL 19,500 thousands (RON 1,950). The difference of **ROL 460,581 thousands (RON 46,058.1)** represents State aid received by SC LUVIRA SRL without observance of the rules on the gross intensity maximum admissible level (65%) and on realizing investments.

14. SC MAURA TOUR SRL

SC MAURA TOUR SRL, Criscior, 1 Plopilor Street, Hunedoara County, N.A.C.E. code 6024 – freight transport by road, unique registration code 10048839, J20/887/1995, investor certificate in deprived area Brad no. 168/20.12.1999, is a S.M.E..

According to the Finding Note no. HD 857/06.12.2005, drawn-up by the competition inspectors on the basis of the accounting submitted by the undertaking and signed by the enterprise representative, the situation of the State aid received and of the eligible realized investment stands like this:

- the State aid received during 2003 – first semester 2005: ROL 551,334 thousands (RON 55,133.4)
- the investments amount: **ROL 529,412 thousands (RON 52,941.2)** representing landings and buildings.

According to the address no. 29361/13.12.2005, registered by the Competition Council under no. RG 9761/16.12.2005, submitted by the General Directorate of Public Finance Hunedoara, as a State aid grantor, the value of the State aid granted to SC MAURA TOUR SRL consisting of exemption from the profit tax payment is ROL 116,122 thousands (RON 11,612.2) for year 2003, ROL 311,562 thousands (RON 31,156.2) for year 2004, respectively ROL 123,743 thousands (RON 12,374.3) for the first semester of 2005; it can be noticed that the total value – **ROL 551,427 thousands (RON 55,142.7)** – is different from the value found out by the competition inspectors. This value was taken into account in order to determine the State aid gross intensity.

Taking into account the new investment and the State aid received, the gross intensity of State aid received by SC MAURA TOUR SRL is **104.15%**, exceeding the gross intensity maximum admissible level of 50% (admissible gross intensity for the transport sector). The exceeding has been registered since 25.10.2004.

In accordance with the legal provisions in force, taking into account the value of the eligible investment realized by SC MAURA TOUR SRL, this undertaking had the right to benefit of State aid in quantum of ROL 264,706 thousands (RON 26,470.6). The difference of **ROL 286,721 thousands (RON 28,672.1)** represents State aid received by SC MAURA TOUR SRL without observance of the rules on the gross intensity maximum admissible level (50%) and on realizing investments.

15. SC MOBUTIL SRL

SC MOBUTIL SRL, Luncoiu de Jos, 1 Valea Lunga Street, Hunedoara County, N.A.C.E. code 3614 – production of other types of furniture, unique registration code 11541206, J20/164/1999, investor certificate in deprived area Brad no. 60/13.10.1999, is a S.M.E..

According to the Finding Note no. HD 570/09.09.2005, drawn-up by the competition inspectors on the basis of the accounting submitted by the undertaking and signed by the enterprise representative, the situation of the State aid received and of the eligible realized investment stands like this:

- the State aid received during 2003 – first semester 2005: ROL 1,052,172 thousands (RON 105,217.2)
- the investments amount: **ROL 1,503,637 thousands (RON 150,363.7)** representing buildings, production equipments and transport means used in production.

According to the address no. 29361/13.12.2005, registered by the Competition Council under no. RG 9761/16.12.2005, submitted by the General Directorate of Public Finance Hunedoara, as a State aid grantor, the value of State aid granted to SC MOBUTIL SRL consisting of exemption from the profit tax payment is ROL 30,150 thousands (RON 3,015) for year 2003, ROL 539,800 thousands (RON 53,980) for year 2004, respectively ROL 407,410 thousands (RON 40,741) for the first semester of 2005; it can be noticed that the total value – **ROL 977,360 thousands (RON 97,736)** – is different from the value found out by the competition inspectors. This value was taken into consideration in order to determine the State aid gross intensity.

Taking into account the new investment and the State aid received, the gross intensity of State aid received by SC MOBUTIL SRL is **65%**, thus reaching the gross intensity maximum admissible level of 65%.

16. SC NIROX COMPANY SRL

SC NIROX COMPANY SRL, Petrosani, 3/19 Horea St, Hunedoara County, N.A.C.E. code 6024 – freight transport by road, unique registration code 12155289, J20/682/1999, investor certificate in deprived area Valea Jiului no 98/17.11.1999, is a S.M.E.

According to the Finding Note no HD 859/08.12.2005, drawn-up by the competition inspectors on the basis of the accounting submitted by the undertaking on previously control action and information received from the Ministry of Public Finances, the situation of the State aid received and of the eligible realized investment stands like this:

- the State aid for 2003, I semester of 2005: ROL 1,405,242 thousands (RON 140,524.2)
- the investments amount: **ROL 1,015,732 thousands (RON 101,573.2)**, representing : lands, buildings and production equipments

It has to be mentioned that during the control made in 8 December 2005, the undertaking refused to put at the inspectors of the Competition Council disposal the accounting and, also, to sign the finding note.

According to the address no 29361/13.12.2005, registered to Competition Council under RG 9761/16.12.2005, send by the General Direction of Public Finance of Hunedoara County, and to the notice no 686282/01.02.2006 registered to Competition Council under RG 1203/06.02.2006, send by the Ministry of Public Finance, as State aid grantor, the value of State aid granted to SC NIROX COMPANY SRL consisting of profit tax exemption is ROL 625,331 (RON 62,533.1) thousands for year 2003, ROL 769,596 thousands (RON 76,959.6) for year 2004 and ROL 10,315 thousands (RON 1,031.5) for I semester of year 2005, reaching a total State aid value of **ROL 1,405,242 thousands (RON 140,524.2)**, value that confirms the quantum of State aid specified in the competition inspectors finding note.

Taking into account the new investment and the State aid received, the gross intensity of State aid received by S.C. NIROX COMPANY S.R.L. is **138.35%**, exceeding the maximum admissible level of gross intensity of 50% (admissible intensity for the transport sector).

By the addresses no 267/21.12.2005 and DRMCAS 112/20.01.2006 Competition Council asked S.C. NIROX COMPANY S.R.L. for information, in order to determine the exact moment in which the undertaking exceeded the maximum admissible level of gross intensity, and, consequently to determine the interest for this exceeding.

Competition Council requested information about the balance sheets of January, June, September and December, the annual and biannual financial sheets, and the quarterly situation of the profit tax exemption for 02 January 2003 – 30 June 2005.

By letter no 2/ 03.01.2006, SC NIROX COMPANY SRL informed the Competition Council that there is a case on the court role, having as object the abeyance of withdrawal the fiscal facilities that the company benefited from (case 7930/2005). Also, the company communicated that it will not send to the Competition Council any information until is reached a final verdict on this case.

As a result of the request of the Competition Council (notice no DRMCAS 110/20.01.2006), Ministry of Public Finance send (notice no 686282/01.02.2006) copies of the reports transmitted by S.C. NIROX COMPANY S.R.L. to the fiscal agencies during 02.01.2003 – 30.06.2005.

Taking into account that these documents are not the justified ones from which can result the profit/loss afferent to the first quarter (years 2003, 2004 and 2005) and to the second quarter (years 2003 and 2004) and, much more, the undertaking refuses to sent these information, the Competition Council establishes, based on the documents at its disposal, that the exceeding moment of the state aid gross intensity was 01.07.2003.

Starting to this particular date and, based on the justified documents at its disposal, it was also determined the interest quantum afferent to the exemption from the payment of the profit tax from which undertaking benefited.

In accordance with the legal provisions in force, taking into account the value of the eligible investment realized by S.C. NIROX COMPANY S.R.L., this undertaking had the right to benefit of State aid in quantum of ROL 507,866 thousands (RON 50,786.6). The difference of **ROL 897,376 thousands (RON 89,737.6)** represents State aid received by S.C. NIROX COMPANY S.R.L without observance of the rules on the maximum admissible level of gross intensity (50%) and on the realizing investments.

17. SC SIMAUSROM COMSERV IMPEX SRL

SC SIMAUSROM COMSERV IMPEX SRL Petritla, 11 Jiului St, Hunedoara County, NACE code 3614 – production of another furniture, unique registration code 4468161, J20/1446/1993, investor certificate in deprived area Valea Jiului, no 26/06.08.1999, is a S.M.E.

According to the Finding Note no HD 696/29.09.2005, drawn-up by the competition inspectors on the basis of the accounting submitted by the undertaking and signed by the enterprise representative, the situation of the State aid received and of the eligible realized investment stands like this:

- the State aid i.e. tax exemption for 2003, I semester of 2005: ROL 2,875,335 thousands (RON 287,533.5)
- the amount of investments: **ROL 3,794,336 thousands (RON 379.433,6)**, representing : buildings, transport devices used in the production process and production equipments

Taking into account the new investment and the State aid received, the intensity of State aid received by S.C. SIMAUSROM COMSERV IMPEX S.R.L. is **75.77%**, exceeding the maximum admissible level of gross intensity of 65%. The exceeding has been registered since 25.07.2005.

In accordance with the legal provisions in force, taking into account the value of the eligible investment realized by S.C. SIMAUSROM COMSERV IMPEX S.R.L., this undertaking had the right to benefit of State aid in quantum of ROL 2,466,318 thousands (RON 246,631.8). The difference of **ROL 409,017 thousands (RON 40,901.7)** represents State aid received by S.C. SIMAUSROM COMSERV IMPEX S.R.L. without observance of the rules on the maximum admissible level of gross intensity (65%) and on the realizing investments.

18. SC TRIUMF COMSERV IMPEX SRL

SC TRIUMF COMSERV IMPEX SRL Petrosani, 1 Slatinioara Street, Hunedoara County, NACE 5211 – retail in non-food store, unique registration code 2155451, J20/1947/1992, investor certificate in deprived area Valea Jiului, no 68/13.10.1999, is a S.M.E.

According to the Finding Note no HD 761/21.09.2005, drawn-up by the competition inspectors on the basis of the accounting submitted by the undertaking and signed by the enterprise representative, the situation of the State aid received and of the eligible realized investment stands like this:

- the State aid i.e. tax exemption for 2003, I semester of 2005: ROL 4,841,650 thousands (RON 484,165)
- the amount of investments: **ROL 7,184,990 thousands (RON 718,499)**, representing : buildings, transport devices used in the production process and production equipments

According to the address no. 29361/13.12.2005, registered by the Competition Council under RG 9761/16.12.2005, submitted by the General Directorate of Public Finance Hunedoara, as a State aid grantor, the value of State aid granted to SC TRIUMF COMSERV IMPEX SRL consisting of exemption from the profit tax payment is ROL 2,780,370 thousands (RON 278,037) for year 2003, ROL 1,889,300 thousands (RON 188,930) for year 2004, respectively ROL 171,980 thousands (RON 17,198) for the first semester of 2005; it can be noticed that the total value – **ROL 4,841,650 thousands (RON 484,165)** confirms the value of state aid determined during the control action realized by the competition inspectors.

Taking into account the new investment and the State aid received, the gross intensity of State aid received by S.C. TRIUMF COMSERV IMPEX S.R.L. is **67.39%**, exceeding the maximum admissible level of gross intensity of 65%. The exceeding has been registered since 25.04.2005.

In accordance with the legal provisions in force, taking into account the value of the eligible investment realized by S.C. TRIUMF COMSERV IMPEX S.R.L., this undertaking had the right to benefit of State aid in quantum of ROL 4,670,244 thousands (RON 467,024.4). The difference of **ROL 171,406 thousands (RON 17,140.6)** represents State aid received by S.C. TRIUMF COMSERV IMPEX S.R.L. without observance of the rules on the maximum admissible level of gross intensity (65%) and on the realizing investments.

19. SC BIROUL DE TRANZACTII SI COMERT BTC SRL

SC BIROUL DE TRANZACTII SI COMERT BTC SRL Filipestii de Targ, Incinta Ceres SA Street, Prahova County, NACE code 2466 – manufacturing of other chemical products, unique registration code 7368124, J29/820/1995, investor certificate in deprived area Filipesti, no 208/28.09.1999, is a S.M.E.

According to the Finding Note no PH 298/04.10.2005, drawn-up by the competition inspectors on the basis of the accounting submitted by the undertaking and signed by the enterprise representative, the situation of the State aid received and of the eligible realized investment stands like this:

- the State aid i.e. tax exemption for 2003, I semester of 2005: ROL 280,093 thousands (RON 28,009.3)
- the amount of investments: **ROL 142,016 thousands (RON 14,201.6)**, representing production equipments

By the notice no 46562/02.12.2005, registered at the Competition Council no 9420/05.12.2005, General Directorate of Public Finance of Prahova County, as State aid grantor, underlined that the value of State aid granted to S.C. BIROUL DE TRANZACTII SI COMERT BTC S.R.L. consisting of exemptions from the payment of profit is ROL 218,037 thousands for year 2003 (RON 21,803.7), and ROL 62,056 thousands for year 2004 (RON 6,205.6) reaching a total State aid value of **ROL 280,093 thousands (RON 28,009.3)** value that confirms the quantum of State aid specified in the competition inspectors finding note.

Taking into account the new investment and the State aid received, the intensity of State aid received by S.C. BIROUL DE TRANZACTII SI COMERT BTC S.R.L. is **197.23%**,

exceeding the maximum admissible level of gross intensity of 65%. The exceeding has been registered since 25.01.2004.

In accordance with the legal provisions in force, taking into account the value of the eligible investment realized by S.C. BIROUL DE TRANZACTII SI COMERT BTC S.R.L., this undertaking had the right to benefit of State aid in quantum of ROL 92,310 thousands (RON 9,231). The difference of **ROL 187,783 thousands (RON 18,778.3)** represents State aid received by S.C. BIROUL DE TRANZACTII SI COMERT BTC S.R.L. without observance of the rules on the maximum admissible level of gross intensity and on the realizing investments.

20. SC TRANSLINER SRL

SC TRANSLINER SRL Ip, 287 Principala St., Salaj County, NACE code 6024 – freight transport by road, unique registration code 12991705, J31/78/2000, investor certificate in deprived area Ip, no 802/17.01.2001, is a S.M.E.

According to the Finding Note no SJ 144/06.10.2005, drawn-up by the competition inspectors on the basis of the accounting submitted by the undertaking and signed by the enterprise representative, the situation of the State aid received and of the eligible realized investment stands like this:

- the State aid i.e. tax exemption for 2003, I semester of 2005: ROL 395,830 thousands (RON 39,583)
- the amount of investments: **ROL 673,159 thousands (RON 67,315.9)**, representing: lands, buildings and production equipments.

According to the address no. 16774/08.12.2005, registered by the Competition Council under RG 9668/13.12.2005, submitted by the General Directorate of Public Finance Salaj, as a State aid grantor, the value of State aid granted to SC TRANSLINER SRL consisting of exemption from the profit tax payment is ROL 395,830 thousands (RON 39,583) for year 2004; thus it confirms the value of state aid determined during the control action realized by the competition inspectors.

It had to be mentioned that the undertaking benefited by the exemption from the payment of the profit tax only on 2004.

Taking into account the new investment and the State aid received, the intensity of State aid received by SC TRANSLINER SRL is **58.8%**, exceeding the maximum admissible level of gross intensity of 50% (admissible intensity for the transport sector). The exceeding has been registered since 25.01.2005.

In accordance with the legal provisions in force, taking into account the value of the eligible investment realized by SC TRANSLINER SRL, this undertaking had the right to benefit of State aid in quantum of ROL 336,580 thousands (RON 33,658). The difference of **ROL 59,250 thousands (RON 5,925)** represents State aid received by SC TRANSLINER SRL without observance of the rules on the maximum admissible level of gross intensity (50%) and on the realizing investments.

(55) Following the assessment, it can be concluded that 19 undertakings exceeded the maximum level of intensity and one reached the maximum admissible level of gross intensity.

(56) As a result, the Competition Council notes that 19 undertakings do not fulfil the condition related to the gross intensity level and so the provisions of the Accession Treaty and of GEO no 24/1998 have not been respected.

Maintaining the investments

- (57) Following the monitoring actions, the investigation team notes that all of those 20 undertakings have maintained the investments made in the deprived areas. From now on, all the undertakings will be monitored in order to respect the granting conditions, including the condition related to maintaining the investments in the deprived area for at least 5 years.

VIII. CONCLUSIONS

- (58) It can be concluded that the aid granted above the maximum level of gross intensity, and in the absence of any other applicable compatibility ground, are illegal.
- (59) Also, following the assessment as far as it concerns the legality of granting those aids, it can be concluded that the aids are incompatible with the Accession Treaty of the Romania at the EU and GEO no 24/1998 on deprived areas, with its subsequent amendments and completions, republished.

DECIDES

Art. 1. Based on art 21 (1), (2) letter d) from the Law no 143/1999 on State aid, republished, the Competition Council decides that the aids as exemptions from the payment of the profit tax granted in deprived areas above the maximum admissible level of gross intensity are illegal and incompatible with a normal competition environment.

Art. 2. The value of the illegal and incompatible aid from which benefited SC FINNOTEX SRL Cugir, 5 Raul Mic Street, Alba County, unique registration code 13698860, J01/53/2001, until 30th of June 2005 is **ROL 1,483,469 thousands (RON 148,346.9)**.

During 25th of April 2005 (representing data starting with the undertaking benefited by the illegal state aid) and 31st of July 2005, the interest afferent to the illegal and incompatible state aid of which the undertaking benefited is **ROL 16,694 thousands (RON 1,669.4)**, calculated considered an annual interest of 10.75% for 25th of April – 31st of July 2005.

Art. 3. The value of the illegal and incompatible aid from which benefited SC SALEM LAZAR SRL, Rodna, 1461 Principala Street, Bistrita Nasaud County, unique registration code 12673078, J06/46/2000 until 30th of June 2005 is **ROL 101,040 thousands (RON 10,104)**.

During 25th of April 2005 (representing data starting with the undertaking benefited by the illegal state aid) and 31st of July 2005, the interest afferent to the illegal and incompatible state aid of which the undertaking benefited is **ROL 2,916 thousands (RON 291.6)**, calculated considered an annual interest of 10.75% for 25th of April – 31st of July 2005.

Art. 4. The value of the illegal and incompatible aid from which benefited SC BKD ELECTRONIC SA, Petrosani, 3 Anghel Saligny Street, Hunedoara County, unique registration code 11823088, J20/449/1999 until 30th of June 2005 is **ROL 636,608 thousands (RON 63,660.8)**.

During 25th of July 2005 (representing data starting with the undertaking benefited by the illegal state aid) and 31st of July 2005, the interest afferent to the illegal and incompatible state aid of which the undertaking benefited is **ROL 977 thousands (RON 97.7)**, calculated considered an annual interest of 8% for 25th of July – 31st of July 2005.

Art. 5. The value of the illegal and incompatible aid from which benefited SC INTERCONT SERV JDP SRL, Brad, 15 Motilor Street, Hunedoara County, unique registration code 11874006, J20/439/1999 until 30th of June 2005 is **ROL 1,028,734 thousands (RON 102,873.4)**.

During 25th of October 2003 (representing data starting with the undertaking benefited by the illegal state aid) and 31st of July 2005, the interest afferent to the illegal and incompatible state aid of which the undertaking benefited is **ROL 154,361 thousands (RON 15,436.1)**, calculated considered an annual interest of 18.20% for 25th of October 2003 – 31st of March 2005 and of 10.75% for 1st of April 2005- 31st of July 2005.

Art. 6. The value of the illegal and incompatible aid from which benefited SC CATALIN INTERNATIONAL SRL, Brad, 54 Avram Iancu Street, Hunedoara County, unique registration code 11823010, J20/460/1999 until 30th of June 2005 is **ROL 5,688,900 thousands (RON 568,890)**.

During 25th of January 2005 (representing data starting with the undertaking benefited by the illegal state aid) and 31st of July 2005, the interest afferent to the illegal and incompatible state aid of which the undertaking benefited is **ROL 214,225 thousands (RON 21,422.5)**, calculated considered an annual interest of 17.31% for 25th of January 2005 – 31st of March 2005 and of 10.75% for 1st of April 2005- 31st of July 2005.

Art. 7. The value of the illegal and incompatible aid from which benefited SC COLONIA BRATIANU COMIMPEX SRL, Petrila, 19 Parcului Street, Hunedoara County, unique registration code 4125120, J20/1122/1993 until 30th of June 2005 is **ROL 43,238 thousands (RON 4,323.8)**.

During 25th of July 2004 (representing data starting with the undertaking benefited by the illegal state aid) and 31st of July 2005, the interest afferent to the illegal and incompatible state aid of which the undertaking benefited is **ROL 4,782 thousands (RON 478.2)**, calculated considered an annual interest of 20.75% for 25th of July 2004 – 28th of February 2005, of 15.69% for 1st of March 2005- 30th of April 2005 and of 8.45% for 1st of May 2005-31st of July 2005.

Art. 8. The value of the illegal and incompatible aid from which benefited SC CONSTRUCT CONSULT SRL, Brad, Avram Iancu Street, block 43/33, Hunedoara County, unique registration code 12980196, J20/238/2000 until 30th of June 2005 is **ROL 50,935 thousands (RON 5,093.5)**.

During 25th of January 2004 (representing data starting with the undertaking benefited by the illegal state aid) and 31st of July 2005, the interest afferent to the illegal and incompatible state aid of which the undertaking benefited is **ROL 10,733 thousands (RON 1,073.3)**, calculated considered an annual interest of 21.25% for 25th January 2004 – 28th of February 2005, of 15.69% for 1st of March 2005- 30th of April 2005 and of 8.45% for 1st of May 2005- 31st of July 2005.

Art. 9. The value of the illegal and incompatible aid from which benefited SC ERGOFORM SRL, Luncoiu, 1 Valea Lunga Street, Hunedoara County, unique registration code 11574386, J20/204/1999 until 30th of June 2005 is **ROL 653,773 thousands (RON 65,377.3)**.

During 25th of April 2005 (representing data starting with the undertaking benefited by the illegal state aid) and 31st of July 2005, the interest afferent to the illegal and incompatible

state aid of which the undertaking benefited is ROL 2,026 thousands (RON 202.6), calculated considered an annual interest of 10.75% for 25th of April 2005 - 31st of July 2005.

Art. 10. The value of the illegal and incompatible aid from which benefited SC EUROSTIL CONSTRUCT SRL, Brad, 112-113 Mesteacan Street, Hunedoara County, unique registration code 12005613, J20/623/1999 until 30th of June 2005 is **ROL 594,572 thousands (RON 59,457.2)**.

During 25th of April 2004 (representing data starting with the undertaking benefited by the illegal state aid) and 31st of July 2005, the interest afferent to the illegal and incompatible state aid of which the undertaking benefited is **ROL 96,218 thousands (RON 9,621.8)**, calculated considered an annual interest of 21.25% for 25th of April 2004 – 28th of February 2005, of 15.69% for 1st of March 2005- 30th of April 2005 and of 8.45% for 1st of May 2005- 31st of July 2005.

Art. 11. The value of the illegal and incompatible aid from which benefited SC GRUP 95 SA, Aninoasa, 303A Danutoni Costeni Street, Hunedoara County, unique registration code 2664447, J20/2161/1992 until 30th of June 2005 is **ROL 12,122,402 thousands (RON 1,212,240.2)**.

During 12th of April 2005 (representing data starting with the undertaking benefited by the illegal state aid) and 31st of July 2005, the interest afferent to the illegal and incompatible state aid of which the undertaking benefited is **ROL 396,303 thousands (RON 39,930.3)**, calculated considered an annual interest 10.75% for 12th of April 2005 - 31st of July 2005.

Art. 12. The value of the illegal and incompatible aid from which benefited SC INTERSERVICE SRL, Hunedoara, 17 T. Vladimirescu Street, Hunedoara County, unique registration code 2126405, J20/1038/1991 until 30th of June 2005 is **ROL 147,393.5 thousands (RON 14,739.3)**.

During 25th of April 2005 (representing data starting with the undertaking benefited by the illegal state aid) and 31st of July 2005, the interest afferent to the illegal and incompatible state aid of which the undertaking benefited is **ROL 1,787 thousands (RON 178.7)**, calculated considered an annual interest 10.75% for 25th of April 2005 - 31st of July 2005.

Art. 13. The value of the illegal and incompatible aid from which benefited SC LABORATORUL SPORTUL SRL, Petrosani, 19A Calea Romana Street, Hunedoara County, unique registration code 12553675, J20/932/1999 until 30th of June 2005 is **ROL 443,633 thousands (RON 44,363.3)**.

During 25th of April 2005 (representing data starting with the undertaking benefited by the illegal state aid) and 31st of July 2005, the interest afferent to the illegal and incompatible state aid of which the undertaking benefited is **ROL 1,615 thousands (RON 161.5)**, calculated considered an annual interest 10.75% for 25th of April 2005 - 31st of July 2005.

Art. 14. The value of the illegal and incompatible aid from which benefited SC LUVIRA SRL, Brad, 54 Avram Iancu Street, Hunedoara County, unique registration code 12782377, J20/152/2000 until 30th of June 2005 is **ROL 460,581 thousands (RON 46,058.1)**.

During 25th of April 2005 (representing data starting with the undertaking benefited by the illegal state aid) and 31st of July 2005, the interest afferent to the illegal and incompatible state aid of which the undertaking benefited is **ROL 13,294 thousands (RON 1,329.4)**, calculated considered an annual interest 10.75% for 25th of April 2005 - 31st of July 2005.

Art. 15. The value of the illegal and incompatible aid from which benefited SC MAURA TOUR SRL, Criscior, 1 Plopilor Street, Hunedoara County, unique registration code 10048839, J20/887/1995 until 30th of June 2005 is **ROL 286,721 thousands (RON 28,672.1)**.

During 25th of October 2004 (representing data starting with the undertaking benefited by the illegal state aid) and 31st of July 2005, the interest afferent to the illegal and incompatible state aid of which the undertaking benefited is **ROL 16,778 thousands (RON 1,677.8)**, calculated considered an annual interest of 20.75% for 25th October 2004 - 28th of February 2005, of 15.69 for 1st of March 2005 - 30th of April 2005 and of 8.45 for 1st of May – 31st of July 2005.

Art. 16. The value of the illegal and incompatible state aid of which benefited SC NIROX COMPANY SRL Petrosani, 3/19 Horea Street, Hunedoara County, unique registration code 12155289, J20/682/1999, until June, 30, 2005, is **ROL 897,376 thousands (RON 89,737.6)**.

For the period between June, the 1st, 2003 (the date since the company has benefited by illegal state aid) and July 31, 2005, the quantum of the interest afferent to the illegal and incompatible state aid of which the undertaking benefited, is **ROL 205,046 thousands, (RON 20,504.6)**, calculated at an annual interest rate of 18.20% for the period between July, the 1st, 2003 and March, 31, 2005 and of 10.75% for the period between April, the 1st and July, 31, 2005.

Art. 17. The value of the illegal and incompatible state aid of which benefited SC SIMAUSROM COMSERV IMPEX SRL Petrila, 11 Jiului Street, Hunedoara County, unique registration code 4468161, J20/1446/1993 until June, 30, 2005, is **ROL 409,017 thousands (RON 40,901.7)**.

For the period between July, 25, 2005, (the date since the company has benefited by illegal state aid) and July, 31, 2005, the quantum of the interest afferent to the illegal and incompatible state aid of which the undertaking benefited is **ROL 628 thousands (RON 62.8)**, calculated at an annual interest rate of 8% for the period between July, 25 – July, 31, 2005.

Art. 18. The value of the illegal and incompatible state aid of which benefited SC TRIUMF COMSERV IMPEX SRL Petrosani, 1 Slatinioara Street, Hunedoara County, unique registration code 2155451, J20/1947/1992, until June, 30, 2005, is **ROL 171,406 thousands (RON 17,140.6)**.

For the period between April, 25, 2005 (the date since the company has benefited by illegal state aid) and July, 31, 2005, the quantum of the interest afferent to the illegal and incompatible aid of which the undertaking benefited is **ROL 1,740 thousands (RON 174)**, calculated at an annual interest rate of 10.75% for the period between April, 25 - July, 31, 2005.

Art. 19. The value of the illegal and incompatible state aid of which benefited SC BIROUL DE TRANZACTII SI COMERT BTC SRL, Filipeştii de Targ, Incinta Ceres SA Street, Prahova County, unique registration code 7368124, J29/820/1995, until June, 30, 2005, is **ROL 187,783 thousands (RON 18,778.3)**.

For the period between January, 25, 2004 (the date since the company has benefited by illegal state aid) and July, 31, 2005, the quantum of the interest afferent to the illegal and incompatible aid of which the company benefited is **ROL 42,433 thousands (RON 4,243.3)**, calculated at an annual rate of 21.25% for the period between January, 25, 2004 – February, 28, 2005, of 15.69% for the period between March, the 1st, 2005 – April, 30, 2005 and of 8.45% for the period between May, the 1st – July, 31, 2005.

Art. 20. The value of the illegal and incompatible state aid of which benefited SC TRANSLINER SRL, Ip, 287 Principala Street, Salaj County, unique registration code 12991705, J31/78/2000, until June, 30, 2005, is **ROL 59,250 thousands (RON 5,925).**

For the period between January, 25, 2005 (the date since the company has benefited by illegal state aid) and July, 31, 2005, the quantum of the interest afferent to the illegal and incompatible state aid of which the company benefited is **ROL 3,983 thousands (RON 398.3)**, calculated at an annual rate of 17.31% for the period between January, 25, 2005 – March, 31, 2005 and of 10.75% for the period between April, the 1st – July, 31, 2005.

Art. 21. On the basis of art. 194¹ par. 1 of the Fiscal Procedure Code, as it was amended by GEO 129/2005, it is stopped the state aid consisting of exemption from the payment of the profit tax afferent to the activity carried on in the deprived area, for SC MOBUTIL SRL, Luncoiu de Jos, 1 Valea Lunga Street, Hunedoara County, unique registration code 11541206, J20/164/1999.

Art. 22. Having in regard the provisions of art. 22 of Law no. 143/1999 on state aid, republished, as well as of art. 194² of the Fiscal Procedure Code, as it was amended by OUG 129/2005, the Ministry of Public Finance, as a grantor, will take all the appropriate measures in order to recover the illegal and incompatible state aid from the undertakings mentioned above, together with the afferent interests calculated, according to the *Guidelines on the interest rate applied in case of recovery or reimbursement of the illegal and prohibited aid*, until the state aid is effectively recovered.

Art. 23. During the recovery procedure of the illegal and incompatible state aid of which benefited these undertakings, the Ministry of Public Finance will also take into account the eventual state aids, consisting of exemption from the profit tax payment, granted to these companies after June, 30, 2005.

Art. 24. The Ministry of Public Finance will inform quarterly the Competition Council on the actions taken for the implementation of the measures disposed by the present Decision. The first report will be realized in 3 months after the present Decision was issued.

Art. 25. The present Decision constitutes writ of execution.

Art. 26. According to the provisions of art. 46 of Law no.143/1999 on the state aid, republished, the present Decision can be appealed by interested parties to the Court of Appeals Bucharest, the Administrative Litigation Section within 30 days from its communication.

Art. 27. The present Decision becomes applicable at the date of its communication.

Art. 28. The present Decision will be communicated by the General Secretariat of the Competition Council to:

- Ministry of Public Finance, 17 Apolodor Street, sector 1, Bucharest;
- SC FINNOTEX SRL, Cugir, 5 Raul Mic Street, Alba County,
- SC SALEM LAZAR SRL, Rodna, 1461 Principala Street, Bistrita Nasaud County,
- SC BKD ELECTRONIC SA, Petrosani, 3 Anghel Saligny Street, Hunedoara County,
- SC CATALIN INTERNATIONAL SRL Brad, 54 Avram Iancu Street, Hunedoara County,

- SC INTERCONT SERV JDP SRL Brad, 15 Motilor Street, Hunedoara County,
- SC COLONIA BRATIANU COMIMPEX SRL Petrita, 19 Parcului Street, Hunedoara County,
- SC CONSTRUCT CONSULT SRL Brad, Avram Iancu Street, Bl. 43/33, Hunedoara County,
- SC ERGOFORM SRL Luncoiu, 1 Valea Lunga Street, Hunedoara County,
- SC EUROSTIL CONSTRUCT SRL Brad, 112-113 Mesteacan Street, Hunedoara County,
- S.C. GRUP 95 S.A. Aninoasa, 303A Danutoni Costeni Street, Hunedoara County,
- SC INTERSERVICE SRL Hunedoara, 17 T. Vladimirescu Street, Hunedoara County,
- SC LABORATORUL SPORTUL SRL Petrosani, 19A Calea Romana Street, Hunedoara County,
- SC LUVIRA SRL, 54 Avram Iancu Street, Hunedoara County,
- SC MAURA TOUR SRL Criscior, 1 Plopilor Street, Hunedoara County,
- SC MOBUTIL SRL Luncoiu de Jos, 1 Valea Lunga Street, Hunedoara County,
- SC NIROX COMPANY SRL Petrosani, 3/19 Horea Street, Hunedoara County,
- SC SIMAUSROM COMSERV IMPEX SRL Petrita, 11 Jiului Street, Hunedoara County,
- SC TRIUMF COMSERV IMPEX SRL Petrosani, 1 Slatinioara Street, Hunedoara County,
- SC BIROUL DE TRANZACTII SI COMERT BTC SRL Filipestii de Targ, Incinta Ceres SA Street, Prahova County,
- SC TRANSLINER SRL Ip, 287 Principala Street, Salaj County.

Art. 29. The General Secretariat, the Reporting, Monitoring and Controlling State Aids Department and the Legal Department of the Competition Council will follow the enforcement of this Decision.

PRESIDENT

MIHAI BERINDE