



# ROMÂNIA

## CONSILIUL CONCURENȚEI



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### FORMAL OPINION

#### **On the notification regarding the Financing scheme for modernizing and developing the air transport infrastructure in Romania**

By analysing the Draft of order for implementing the *Financing scheme for modernizing and developing the air transport infrastructure in Romania*, the *Standard Notification Form* and the *Supplementary information sheet on State aid for transport infrastructure*, elaborated in accordance with the *Community guidelines on financing of airports and start-up aid to airlines departing from regional airports* and the *Commission Regulation (EC) No 794/2004 of 21 April 2004 implementing Council Regulation (EC) No 659/1999 laying down detailed rules for the application of Article 93<sup>1</sup> of the EC Treaty, with the subsequent modifications and completions*, submitted by the Ministry of Transport and Infrastructure by the address no. 25/795//30.03.2010, registered at the Competition Council with no. RG /2.090/31.03.2010, in order to receive a formal opinion, and ascertaining that:

1. By the normative act, the Ministry of Transport and Infrastructure creates the necessary legal framework to grant State aids from the national budget and European funds, in order to build up, modernise and develop the air transport infrastructure (terminals, runways, aprons, control towers and other facilities that directly support them);
2. The normative act is being set up in accordance with the provisions of the *Community guidelines on financing of airports and start-up aid to airlines departing from regional airports*, published in the Official Journal of the European Union no. C 312/09.12.2005;
3. The State aid enclosed in the *Financing scheme for modernizing and developing the air transport infrastructure in Romania* requires, in order to be implemented, the authorization from the European Commission;
4. The Notification form and the Supplementary information sheet on the State aid for air transport infrastructure meets the provisions of the *Commission Regulation (EC) No 794/2004 of 21 April 2004 implementing Council Regulation (EC) No 659/1999 laying down detailed rules for the application of Article 93 of the EC Treaty, with the subsequent modifications and completions*.

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<sup>1</sup> At present, art. 108 of the TFEU.

## **COMPETITION COUNCIL**

Based on the *Competition Law no. 21/1996, republished*, and on art. 8 recital (1) of the *Government Emergency Ordinance no. 117/2006 on the national procedures in the State aid field*, approved with modifications and completions by the *Law no. 137/2007*,

### **ISSUES FORMAL OPINION**

*On the Draft of normative act implementing the Financing scheme for modernizing and developing the air transport infrastructure in Romania, the Standard Notification Form and the Supplementary information sheet on State aid for transport infrastructure, elaborated in accordance with the Community guidelines on financing of airports and start-up aid to airlines departing from regional airports and the Commission Regulation (EC) No 794/2004 of 21 April 2004 implementing Council Regulation (EC) No 659/1999 laying down detailed rules for the application of Article 93 of the EC Treaty, with the subsequent modifications and completions.*