



## FORMAL OPINION

### On the Information on the State aid scheme

### ***“Financing RDI projects in accordance with the Research, Development and Innovation Programme – Spatial Technology and Advanced Research – STAR”***

By analyzing

The Draft of Decision of the president of the National Authority for Scientific Research on the approval of the State aid scheme *“Financing RDI projects in accordance with the Research, Development and Innovation Programme – Spatial Technology and Advanced Research – STAR”*,

and

the draft of synthetically Information sheet on the State aid to be granted in accordance with the *Commission Regulation (EC) no. 800/2008 declaring certain categories of aid compatible with the common market in application of Articles 87 and 88 of the Treaty*<sup>1</sup>,

submitted by the National Authority for Scientific Research by the address no. 1181/27.07.2012, registered at the Competition Council with no. RG 9967/01.08.2012,

and

ascertaining that:

1. By the Draft of Decision it is approved a State aid scheme having the following objectives:

- Increase in the competitiveness of the industrial or academic research entities for the participation to the activities of the European Spatial Agency;
- Creation of knowledge, obtain of top scientific and technological results, competitive on global level, in order to increase the international visibility of the Romanian research and to transfer the results into economy and society;
- Increase of the Romanian economy's competitiveness by research and innovation.

---

<sup>1</sup> Published in the Official Journal of the European Union no. L 214/09.08.2008.

2. Within this scheme are financed RDI projects and strategic projects. The RDI projects finance the following types of activities: fundamental research, industrial research and experimental development, activities aimed to obtain and protect the rights of intellectual property and preliminary technical feasibility studies for activities of industrial research or experimental development. The participation to the achievement of the project is made individually or in cooperation between the undertakings and research organizations. The project's results shall be disseminated on large scale through technical-scientific conferences, publication in scientific and technical journals or in data basis, or through open access software sources. Through strategic projects State aid is granted for fundamental research, industrial research, experimental development activities aimed to obtain and protect the rights of industrial property, preliminary technical feasibility studies for activities of industrial research or experimental development, as well as consultancy services in innovation and innovation support services. The strategic projects are proposed by the Romanian Spatial Agency – ROSA and the results can belong to it as a whole or to the undertaking/ undertakings receiving the State aid.

3. The State aid scheme was set up in accordance with the provisions of the *Commission Regulation (EC) no. 800/2008 declaring certain categories of aid compatible with the common market in application of Articles 87 and 88 of the Treaty*, being exempted from the obligation to be notified to the European Commission;

4. The scheme is applicable to all Romania's development regions, the beneficiaries being allowed to perform their activity in all economic sectors.

5. The beneficiaries of the State aid scheme are legal entities having the research and/or technological development in their activity object and perform economic activities, namely activities which consist in granting goods and/or services on the market. They can be:

a) of private law:

- Research-development units organized as undertakings<sup>2</sup>;
- Enterprises as well as their structures, that perform research-development activities;
- Private higher education institutions which are accredited or their structures;
- Non-governmental organizations performing research-development activities.

b) of public law:

- Research-development institutes or centers organized within the national undertakings, national companies, and autonomous regions;
- International research-development centers established in accordance with certain international agreements.

6. The State aids granted within this scheme are transparent, taking the form of non-reimbursable financial allocations not exceeding the maximum intensity provisioned for in the *EC Regulation no. 800/2008*;

---

<sup>2</sup> These can be small, medium or large enterprises.

7. The scheme set-up by the draft of Decision is valid for the period 2012-2017, its budget being formed from national funds which sum up 384,180,000 lei, and the estimated number of beneficiaries is of 800;

8. The Information sheet meets the form and substance of the standard form enclosed in the Annex III to the *Commission Regulation (EC) no. 800/2008 declaring certain categories of aid compatible with the common market in application of Articles 87 and 88 of the Treaty*.

## **COMPETITION COUNCIL**

Based on the *Competition Law no. 21/1996, republished, with the subsequent amendments and completions* 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 amendments and completions by the Law no. 137/2007*,

## **ISSUES FORMAL OPINION**

On the *Draft of Decision* of the president of the National Authority for Scientific Research on the approval of the State aid scheme “*Financing RDI projects in accordance with the Research, Development and Innovation Programme – Spatial Technology and Advanced Research – STAR*” and on the draft of synthetically Information sheet submitted by Romania in accordance with the provisions of the *Commission Regulation (EC) no. 800/2008 declaring certain categories of aid compatible with the common market in application of Articles 87 and 88 of the Treaty*.