



FORMAL OPINION

On the State aid scheme on the financing of the research-development-innovation projects within the Programme Research in Priority Fields within the SEE Financial Mechanism 2009- 2014

By analyzing the Draft of Order of the minister delegated for higher education, scientific research on the approval of the State aid scheme for “Financing the research-development-innovation projects within the Programme Research in Priority Fields within the SEE Financial Mechanism 2009- 2014”

and

the synthetic *Information sheet* for State aid measures, completed in accordance with the reporting obligation provisioned for by art. 9 recital (1) in 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 (General Block Exemption Regulation)*, submitted by the Ministry of National Education, by the address no. 1792/TP//25.06.2013, registered at the Competition Council with no. RG /8308/25.06.2013, in order to receive a formal opinion,

and

ascertaining that:

1. By the State aid scheme are granted facilities in order to meet the following objectives:

- attracting private investments in RDI, in those identified fields where Romania has a development potential on medium and long term;
- increase the training and development potential of the human resources, correlated with the creation of new jobs;
- supporting the technological transfer from the research entities towards the industry, in the view of increasing the competitiveness and visibility of the results of the research on the European market.

2. The beneficiaries of the scheme are legal entities having as activity object research and/or technological development and that carry on economic activities, namely activities consisting in granting goods and/or services on the market. Those may be:

- of private law (research-development units organized as undertakings, undertakings as well as their structures, which carry on research-development activities, private high education institutions, accredited or their structures or non-governmental organizations performing research-development activities);

- of public law (institutes or research-development centers organized within national companies, national undertakings and autonomous regions or research-development international centers set-up based on international agreements).

3. The State aid scheme finances activities of fundamental research, industrial research and experimental development made in cooperation by an undertaking and a research body, especially in the context of coordinating the national policies in the field of research-development. For industrial research, the results of the project are disseminated on large scale through technical and scientific conferences or by publishing in scientific or technical publications or through storage on free access registers (databases where the raw research data can be seen by anyone) or through free informatics programs or open sources.

4. The State aid scheme was elaborated in accordance with the conditions (application field, maximum admissible intensities, thresholds, categories of eligible costs) provisioned for by 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*.

5. The proposed State aid scheme will last 1 year (2013- June the 30th 2014).

6. The total budget of the scheme will be of 21,681,063 Euro, and the maximum number of beneficiaries estimated to receive funding based on this scheme is of 75.

7. The Information sheet is filled in in accordance with 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 (General block exemption Regulation)*.

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 modifications and completions by the Law no. 137/2007*,

ISSUES FORMAL OPINION

On the *Draft of Order of the minister delegated for higher education, scientific research on the approval of the State aid scheme for "Financing the research-development-innovation projects within the Programme Research in Priority Fields within the SEE Financial Mechanism 2009- 2014"* and the draft of *Information sheet* reported by Romania, in accordance with the reporting obligation foreseen in art. 9 recital (1) 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 (General Block Exemption Regulation)*.