



FORMAL OPINION

On the on regional State aid scheme on energetic efficiency

By analyzing

The draft of Order of the Ministry of Economy on the approval of the regional State aid scheme on energetic efficiency and of the draft of synthetic *Information sheet* on State aid measures, filled in in accordance with the reporting obligation stipulated at art. 9 recital (1) of the *Regulation (EC) no. 800/2008 declaring certain categories of aid compatible with the common market in application of Articles 87 and 88¹ of the EC Treaty (hereby named the Regulation)*, submitted by the Ministry of Economy, by the address no. 151813/27.06.2013, registered at the Competition Council with no. RG 8491/01.07.2013, in order to receive a formal opinion,

and

ascertaining that:

1. The State aid scheme is elaborated for the application of the operation provisioned for by the Energetic Efficiency Programme within the Memorandum of understanding for the Financial Mechanism of the European Economic Area (hereby named the FM EEA).
2. The objective of the scheme is to make investments in order to increase the energetic efficiency in industry, in order to support the lasting regional development of Romania. The beneficiaries of the scheme may be undertakings, small and medium size enterprises, from all the industrial sectors allowed by the Regulation, which make initial investments in any of the 8 development regions of the country;
3. The State aid scheme was elaborated in accordance with the conditions provisioned for by the Regulation (application field, maximum admissible intensities, eligible costs, beneficiary's contribution, a transparent granting manner of the aid as grants, stimulating effect, minimum period to keep the investment in the beneficiary area) and of the *Regional aid Map approved by the European Commission for Romania, for 2007 – 2013*.
4. The proposed State aid scheme will be implemented until December the 31st, 2013 and its estimated budget, formed from non-reimbursable European funds ensured through FM EEA and funds from the state budget, is of 9,200,000 Euro.

¹ Presently art. 107 and 108 of the Treaty on the Functioning of the European Union.

5. The maximum estimated number of beneficiaries to receive funding within the scheme is 26.

6. The information sheet is filled in in accordance with the standard form enclosed in the Annex III to the *Regulation*.

COMPETITION COUNCIL

Based on the *Law on competition 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

For the draft of Order of the Ministry of Economy on the approval of the regional State aid scheme on energetic efficiency and of the draft of synthetic Information sheet on State aid measures, filled in in accordance with the reporting obligation stipulated at art. 9 recital (1) of the Regulation (EC) no. 800/2008 declaring certain categories of aid compatible with the common market in application of Articles 87 and 88 of the EC Treaty,

With the following proposal:

In order to ensure correct and complete information of all possible beneficiaries, as within the State aid scheme is made reference to the provisions of the Solicitor's Guide and of the request of proposals of projects, these have to be harmonized with the State aid scheme and to be published, at the same time, on the web-page of the grantor.