



FORMAL OPINION

on the draft of state aid scheme “*Financing research, development and innovation activities (RDI) and RDI investment within the Operational Program Competitiveness (OPC)*”

By analysing

The draft of state aid scheme for research, development and innovation "Financing research, development and innovation activities (RDI) and RDI investment within the Operational Program Competitiveness (OPC)"

and

The draft of summary information sheet regarding State aid granted under *Commission Regulation (EU) no 651/2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty*¹,

Submitted by the Ministry of National Education (National Authority for Scientific Research and Innovation (ANCS) through General Directorate Intermediary Body for POSCCE), by letter no. 13394/12.29.2014, registered at the Competition Council with no. RG/15291/12.30.2014, in order to receive a formal opinion

And ascertaining that:

¹ Published in the Official Journal of the European Union No. L 187 / 06.26.2014

1. The state aid scheme is part of the financing instrument OPC. On 19 December 2014 the European Commission issued Decision no. 10233 for the implementation of certain elements of the Operational Program "Competitiveness" for the support from the European Regional Development Fund (ERDF) under the objective of investment for growth and jobs in Romania;
2. The scheme was developed under *EC Regulation no. 651/2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty* and complies intensities contained therein and in the *Regional Aid Map* approved by the European Commission for Romania for 2014-2020²;
3. The scheme complies with *GEO no 77 of 3 December 2014 on national procedures for state aid and amending and supplementing Law no. 21/1996*, with the following observations:
 - The scheme complies with Article 3(4) of GEO no 77/2014 due to the fact that the scheme is a component of the financing instrument OPC, approved on 19 December 2014 by the European Commission Decision no. 10233;
 - Because it is financed from European funds, state aid scheme applies Article 7(4) of GEO no 77/2014;
4. The objectives of the scheme are:
 - Increasing private investment in RDI;
 - Increasing the transfer of knowledge, technology and staff with RDI skills between the public and private environment;
 - Increase scientific capacity as an engine for innovation;
 - Increasing the participation of Romanian research at European and international level;
4. The scheme is valid until 31 December 2020;
5. The costs covered by Regulation EC the conditions related to eligible costs set out in *EC Regulation no. 651/2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty* are respected;
6. The aid is granted in the form of grants and complies the notification thresholds referred to in art. 4 of *EC Regulation no. 651/2014*;
7. The budget of the scheme is no more than 620 million for the period 2015-2020 and the maximum number of beneficiaries is 1000;
8. The summary information sheet in the form and content of the standard sheet included in Annex II of *EC Regulation no. 651/2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty*,

² Approved by EC decision on State aid No. SA.38364 (2014 / N) - Romania

COMPETITION COUNCIL

Based on Article 7 point (5) of the *Government Emergency Ordinance no. 77 of 3 December 2014 regarding national procedures in the state aid field and the amendment and completion of the Competition Law no. 21/1996*,

ISSUES FORMAL OPINION

On the draft of state aid scheme for research, development and innovation "Financing research, development and innovation activities (RDI) and RDI investment within the Operational Program Competitiveness (OPC)" and on the draft of summary information sheet, in accordance with *EC Regulation no. 651/2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty*.