

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

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THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 659/1999 of 22 March 1999 laying down detailed rules for the application of Article 93 of the EC Treaty⁽¹⁾, and in particular Article 27 thereof,

After consulting the Advisory Committee on State Aid,

Whereas:

- (1) In order to facilitate the preparation of State aid notifications by Member States, and their assessment by the Commission, it is desirable to establish a compulsory notification form. That form should be as comprehensive as possible.
- (2) The standard notification form as well as the summary information sheet and the supplementary information sheets should cover all existing guidelines and frameworks in the state aid field. They should be subject to modification or replacement in accordance with the further development of those texts.
- (3) Provision should be made for a simplified system of notification for certain alterations to existing aid. Such simplified arrangements should only be accepted if the Commission has been regularly informed on the implementation of the existing aid concerned.
- (4) In the interests of legal certainty it is appropriate to make it clear that small increases of up to 20 % of the original budget of an aid scheme, in particular to take account of the effects of inflation, should not need to be notified to the Commission as they are unlikely to affect the Commission's original assessment of the compatibility of the scheme, provided that the other conditions of the aid scheme remain unchanged.
- (5) Article 21 of Regulation (EC) No 659/1999 requires Member States to submit annual reports to the Commission on all existing aid schemes or individual aid granted outside an approved aid scheme in respect of which no specific reporting obligations have been imposed in a conditional decision.
- (6) For the Commission to be able to discharge its responsibilities for the monitoring of aid, it needs to receive accurate information from Member States about the types and amounts of aid being granted by them under existing aid schemes. It is possible to simplify and improve the arrangements for the reporting of State aid to the Commission which are currently described in the joint procedure for reporting and notification under

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the EC Treaty and under the World Trade Organisation (WTO) Agreement set out in the Commission's letter to Member States of 2 August 1995. The part of that joint procedure relating to Member States reporting obligations for subsidy notifications under Article 25 of the WTO Agreement on Subsidies and Countervailing measures and under Article XVI of GATT 1994, adopted on 21 July 1995 is not covered by this Regulation.

- (7) The information required in the annual reports is intended to enable the Commission to monitor overall aid levels and to form a general view of the effects of different types of aid on competition. To this end, the Commission may also request Member States to provide, on an ad hoc basis, additional data for selected topics. The choice of subject matter should be discussed in advance with Member States.
- (8) The annual reporting exercise does not cover the information, which may be necessary in order to verify that particular aid measures respect Community law. The Commission should therefore retain the right to seek undertakings from Member States, or to attach to decisions conditions requiring the provision of additional information.
- (9) It should be specified that time-limits for the purposes of Regulation (EC) No 659/1999 should be calculated in accordance with Regulation (EEC, Euratom) No 1182/71 of the Council of 3 June 1971 determining the rules applicable to periods, dates and time limits⁽²⁾, as supplemented by the specific rules set out in this Regulation. In particular, it is necessary to identify the events, which determine the starting point for time-limits applicable in State aid procedures. The rules set out in this Regulation should apply to pre-existing time-limits which will continue to run after the entry into force of this Regulation.
- (10) The purpose of recovery is to re-establish the situation existing before aid was unlawfully granted. To ensure equal treatment, the advantage should be measured objectively from the moment when the aid is available to the beneficiary undertaking, independently of the outcome of any commercial decisions subsequently made by that undertaking.
- (11) In accordance with general financial practice it is appropriate to fix the recovery interest rate as an annual percentage rate.
- (12) The volume and frequency of transactions between banks results in an interest rate that is consistently measurable and statistically significant, and should therefore form the basis of the recovery interest rate. The inter-bank swap rate should, however, be adjusted in order to reflect general levels of increased commercial risk outside the banking sector. On the basis of the information on inter-bank swap rates the Commission should establish a single recovery interest rate for each Member State. In the interest of legal certainty and equal treatment, it is appropriate to fix the precise method by which the interest rate should be calculated, and to provide for the publication of the recovery interest rate applicable at any given moment, as well as relevant previously applicable rates.
- (13) A State aid grant may be deemed to reduce a beneficiary undertaking's medium-term financing requirements. For these purposes, and in line with general financial practice,

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the medium-term may be defined as five years. The recovery interest rate should therefore correspond to an annual percentage rate fixed for five years.

- (14) Given the objective of restoring the situation existing before the aid was unlawfully granted, and in accordance with general financial practice, the recovery interest rate to be fixed by the Commission should be annually compounded. For the same reasons, the recovery interest rate applicable in the first year of the recovery period should be applied for the first five years of the recovery period, and the recovery interest rate applicable in the sixth year of the recovery period for the following five years.
- (15) This Regulation should apply to recovery decisions notified after the date of entry into force of this Regulation,

HAS ADOPTED THIS REGULATION:

CHAPTER I

SUBJECT MATTER AND SCOPE

Article 1

Subject matter and scope

1 This Regulation sets out detailed provisions concerning the form, content and other details of notifications and annual reports referred to in Regulation (EC) No 659/1999. It also sets out provisions for the calculation of time limits in all procedures concerning State aid and of the interest rate for the recovery of unlawful aid.

2 This Regulation shall apply to aid in all sectors.

CHAPTER II

NOTIFICATIONS

Article 2

Notification forms

Without prejudice to Member States' obligations to notify state aids in the coal sector under Commission Decision 2002/871/CE⁽⁵⁾, notifications of new aid pursuant to Article 2(1) of Regulation (EC) No 659/1999, other than those referred to in Article 4(2), shall be made on the notification form set out in Part I of Annex I to this Regulation.

Supplementary information needed for the assessment of the measure in accordance with regulations, guidelines, frameworks and other texts applicable to State aid shall be provided on the supplementary information sheets set out in Part III of Annex I.

Whenever the relevant guidelines or frameworks are modified or replaced, the Commission shall adapt the corresponding forms and information sheets.

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Article 3

Transmission of notifications

1 The notification shall be transmitted to the Commission by the Permanent Representative of the Member State concerned. It shall be addressed to the Secretary — General of the Commission.

If the Member State intends to avail itself of a specific procedure laid down in any regulations, guidelines, frameworks and other texts applicable to State aid, a copy of the notification shall be addressed to the Director-General responsible. The Secretary — General and the Directors — General may designate contact points for the receipt of notifications.

2 All subsequent correspondence shall be addressed to the Director — General responsible or to the contact point designated by the Director — General.

3 The Commission shall address its correspondence to the Permanent Representative of the Member State concerned, or to any other address designated by that Member State.

4 Until 31 December 2005 notifications shall be transmitted by the Member State on paper. Whenever possible an electronic copy of the notification shall also be transmitted.

With effect from 1 January 2006 notifications shall be transmitted electronically, unless otherwise agreed by the Commission and the notifying Member State.

All correspondence in connection with a notification which has been submitted after 1 January 2006 shall be transmitted electronically.

5 The date of transmission by fax to the number designated by the receiving party shall be considered to be the date of transmission on paper, if the signed original is received no later than ten days thereafter.

6 By 30 September 2005 at the latest, after consulting Member States, the Commission shall publish in the *Official Journal of the European Union* details of the arrangements for the electronic transmission of notifications, including addresses together with any necessary arrangements for the protection of confidential information.

Article 4

Simplified notification procedure for certain alterations to existing aid

1 For the purposes of Article 1(c) of Regulation (EC) No 659/1999, an alteration to existing aid shall mean any change, other than modifications of a purely formal or administrative nature which cannot affect the evaluation of the compatibility of the aid measure with the common market. However an increase in the original budget of an existing aid scheme by up to 20 % shall not be considered an alteration to existing aid.

2 The following alterations to existing aid shall be notified on the simplified notification form set out in Annex II:

- a increases in the budget of an authorised aid scheme exceeding 20 %;
- b prolongation of an existing authorised aid scheme by up to six years, with or without an increase in the budget;

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- c tightening of the criteria for the application of an authorised aid scheme, a reduction of aid intensity or a reduction of eligible expenses;

The Commission shall use its best endeavours to take a decision on any aid notified on the simplified notification form within a period of one month.

3 The simplified notification procedure shall not be used to notify alterations to aid schemes in respect of which Member States have not submitted annual reports in accordance with Article 5, 6, and 7, unless the annual reports for the years in which the aid has been granted are submitted at the same time as the notification.

CHAPTER III

ANNUAL REPORTS

Article 5

Form and content of annual reports

1 Without prejudice to the second and third subparagraphs of this Article and to any additional specific reporting requirements laid down in a conditional decision adopted pursuant to Article 7(4) of Regulation (EC) No 659/1999, or to the observance of any undertakings provided by the Member State concerned in connection with a decision to approve aid, Member States shall compile the annual reports on existing aid schemes referred to in Article 21(1) of Regulation (EC) No 659/1999 in respect of each whole or part calendar year during which the scheme applies in accordance with the standardised reporting format set out in Annex IIIA.

Annex IIIB sets out the format for annual reports on existing aid schemes relating to the production, processing and marketing of agricultural products listed in Annex I of the Treaty.

Annex IIIC sets out the format for annual reports on existing aid schemes for state aid relating to the production, processing or marketing of fisheries products listed in Annex I of the Treaty.

2 The Commission may ask Member States to provide additional data for selected topics, to be discussed in advance with Member States.

Article 6

Transmission and publication of annual reports

1 Each Member State shall transmit its annual reports to the Commission in electronic form no later than 30 June of the year following the year to which the report relates.

In justified cases Member States may submit estimates, provided that the actual figures are transmitted at the very latest with the following year's data.

2 Each year the Commission shall publish a State aid synopsis containing a synthesis of the information contained in the annual reports submitted during the previous year.

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Article 7

Status of annual reports

The transmission of annual reports shall not be considered to constitute compliance with the obligation to notify aid measures before they are put into effect pursuant to Article 88(3) of the Treaty, nor shall such transmission in any way prejudice the outcome of an investigation into allegedly unlawful aid in accordance with the procedure laid down in Chapter III of Regulation (EC) No 659/1999.

CHAPTER IV

TIME-LIMITS

Article 8

Calculation of time-limits

1 Time-limits provided for in Regulation (EC) No 659/1999 and in this Regulation or fixed by the Commission pursuant to Article 88 of the Treaty shall be calculated in accordance with Regulation (EEC, Euratom) No 1182/71, and the specific rules set out in paragraphs 2 to 5 of this Article. In case of conflict, the provisions of this regulation shall prevail.

2 Time limits shall be specified in months or in working days.

3 With regard to time-limits for action by the Commission, the receipt of the notification or subsequent correspondence in accordance with Article 3(1) and Article 3(2) of this Regulation shall be the relevant event for the purpose of Article 3(1) of Regulation (EEC, Euratom) No 1182/71.

As far as notifications transmitted after 31 December 2005, and correspondence relating to them are concerned, the receipt of the electronic notification or communication at the relevant address published in the *Official Journal of the European Union* shall be the relevant event.

4 With regard to time-limits for action by Member States, the receipt of the relevant notification or correspondence from the Commission in accordance with Art. 3(3) of this Regulation shall be the relevant event for the purposes of Article 3(1) of Regulation (EEC, Euratom) No 1182/71.

5 With regard to the time-limit for the submission of comments following initiation of the formal investigation procedure referred to in Art. 6(1) of Regulation (EC) No 659/1999 by third parties and those Member States which are not directly concerned by the procedure, the publication of the notice of initiation in the *Official Journal of the European Union* shall be the relevant event for the purposes of Article 3(1) of Regulation (EEC, Euratom) No 1182/71.

6 Any request for the extension of a time-limit shall be duly substantiated, and shall be submitted in writing to the address designated by the party fixing the time-limit at least two working days before expiry.

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CHAPTER V

INTEREST RATE FOR THE RECOVERY OF UNLAWFUL AID

Article 9

Method for fixing the interest rate

1 Unless otherwise provided for in a specific decision the interest rate to be used for recovering State aid granted in breach of Article 88(3) of the Treaty shall be an annual percentage rate fixed for each calendar year.

It shall be calculated on the basis of the average of the five-year inter-bank swap rates for September, October and November of the previous year, plus 75 basis points. In duly justified cases, the Commission may increase the rate by more than 75 basis points in respect of one or more Member States.

2 If the latest three-month average of the five-year inter-bank swap rates available, plus 75 basis points, differs by more than 15 % from the State aid recovery interest rate in force, the Commission shall recalculate the latter.

The new rate shall apply from the first day of the month following the recalculation by the Commission. The Commission shall inform Member States by letter of the recalculation and the date from which it applies.

3 The interest rate shall be fixed for each Member State individually, or for two or more Member States together.

4 In the absence of reliable or equivalent data or in exceptional circumstances the Commission may, in close co-operation with the Member State(s) concerned, fix a State aid recovery interest rate, for one or more Member States, on the basis of a different method and on the basis of the information available to it.

Article 10

Publication

The Commission shall publish current and relevant historical State aid recovery interest rates in the *Official Journal of the European Union* and for information on the Internet.

Article 11

Method for applying interest

1 The interest rate to be applied shall be the rate applicable on the date on which unlawful aid was first put at the disposal of the beneficiary.

2 The interest rate shall be applied on a compound basis until the date of the recovery of the aid. The interest accruing in the previous year shall be subject to interest in each subsequent year.

3 The interest rate referred to in paragraph 1 shall be applied throughout the whole period until the date of recovery. However, if more than five years have elapsed between the date on which the unlawful aid was first put at the disposal of the beneficiary and the date of the recovery

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of the aid, the interest rate shall be recalculated at five yearly intervals, taking as a basis the rate in force at the time of recalculation.

CHAPTER VI

FINAL PROVISIONS

Article 12

Review

The Commission shall in consultation with the Member States, review the application of this Regulation within four years after its entry into force.

Article 13

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Chapter II shall apply only to those notifications transmitted to the Commission more than five months after the entry into force of this Regulation.

Chapter III shall apply to annual reports covering aid granted from 1 January 2003 onwards.

Chapter IV shall apply to any time limit, which has been fixed but which has not yet expired on the date of entry into force of this Regulation.

Articles 9 and 11 shall apply in relation to any recovery decision notified after the date of entry into force of this Regulation.

This Regulation shall be binding in its entirety and be directly applicable in all Member States.

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ANNEX I

STANDARD FORM FOR NOTIFICATION OF STATE AIDS PURSUANT TO ARTICLE 88 (3) EC TREATY AND FOR THE PROVISION OF INFORMATION ON UNLAWFUL AID

This form shall be used by Member States for the notification pursuant to Article 88(3) EC Treaty of new aid schemes and individual aid. It shall also be used when a non-aid measure is notified to the Commission for reasons of legal certainty.

Member States are also requested to use this form when the Commission requests comprehensive information on alleged unlawful aid.

The present form consists of three parts:

- I. **General Information:** to be completed in all cases
- II. **Summary Information for publication in the Official Journal**
- III. **Supplementary Information Sheet depending on the type of aid**

Please note that failure to complete this form correctly may result in the notification being returned as incomplete. The completed form shall be transmitted on paper to the Commission by the Permanent Representative of the Member State concerned. It shall be addressed to the Secretary General of the Commission.

If the Member State intends to avail itself of a specific procedure laid down in any regulations, guidelines, frameworks and other texts applicable to State aid, a copy of the notification shall be as well addressed to the Director General of the Commission department responsible.

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PART I

GENERAL INFORMATION

STATUS OF THE NOTIFICATION

Does the information transmitted on this form concern:

- notification pursuant to Article 88 (3) EC Treaty?
- possible unlawful aid (1)?

If yes, please specify the date of putting into effect of the aid. Please complete this form, as well as the relevant supplementary forms.

- non-aid measure which is notified to the Commission for reasons of legal certainty?

Please indicate below the reasons why the notifying Member State considers that the measure does not constitute State aid in the meaning of Article 87(1) EC Treaty. Please complete the relevant parts of this form and provide all necessary supporting documentation.

A measure will not constitute State aid if one of the conditions laid down in Article 87(1) EC Treaty is not fulfilled. Please provide a full assessment of the measure in the light of the following criteria focusing in particular on the criterion which you consider not to be met:

- No transfer of public resources (For example, if you consider the measure is not imputable to the State or where you consider that regulatory measures without transfer of public resources will be put in place)
- No advantage (For example, where the private market investor principle is respected)
- No selectivity/specificity (For example, where the measure is available to all enterprises, in all sectors of the economy and without any territorial limitation and without discretion)
- No distortion of competition / no affectation of intra-community trade (For example, where the activity is not of an economic nature or where the economic activity is purely local)

1. Identification of the aid grantor

1.1. Member State concerned

.....

1.2. Region(s) concerned (if applicable)

.....

1.3.

.....

Responsible contact person:

Name :

Address :

Telephone :

Fax :

E-mail :

(1) According to Article 1 (f) of Council Regulation (EC) N° 659/1999 of 22 March 1999 laying down detailed rules for the application of Article 93 of the EC Treaty (OJ L 83, 27.3.1999, p. 1) (hereinafter "Procedural Regulation"), unlawful aid shall mean new aid put into effect in contravention of Article 88(3) of the EC-Treaty.

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1.4. Responsible contact person at the Permanent Representation:

Name :
 Telephone :
 Fax :
 E-mail :

1.5. If you wish that a *copy* of the official correspondence sent by the Commission to the Member State should be forwarded to other national authorities, please indicate here their name and address:

Name :
 Address :

1.6. Indicate Member State reference you wish to be included in the correspondence from the Commission

2. **Identification of the aid**

2.1. Title of the aid (or name of company beneficiary in case of individual aid)

.....

2.2. Brief description of the objective of the aid.

Please indicate primary objective and, if applicable, secondary objective(s) :

	Primary objective (please tick <i>one</i> only)	Secondary objective ⁽¹⁾
Regional development	<input type="checkbox"/>	<input type="checkbox"/>
Research and development	<input type="checkbox"/>	<input type="checkbox"/>
Environmental protection	<input type="checkbox"/>	<input type="checkbox"/>
Rescuing firms in difficulty	<input type="checkbox"/>	<input type="checkbox"/>
Restructuring firms in difficulty	<input type="checkbox"/>	<input type="checkbox"/>
SMEs	<input type="checkbox"/>	<input type="checkbox"/>
Employment	<input type="checkbox"/>	<input type="checkbox"/>
Training	<input type="checkbox"/>	<input type="checkbox"/>
Risk capital	<input type="checkbox"/>	<input type="checkbox"/>
Promotion of export and internationalisation	<input type="checkbox"/>	<input type="checkbox"/>
Services of general economic interest	<input type="checkbox"/>	<input type="checkbox"/>
Sectoral development ⁽²⁾	<input type="checkbox"/>	<input type="checkbox"/>
Social support to individual consumers	<input type="checkbox"/>	<input type="checkbox"/>
Compensation of damage caused by natural disasters or exceptional occurrences	<input type="checkbox"/>	<input type="checkbox"/>
Execution of an important project of common European interest	<input type="checkbox"/>	<input type="checkbox"/>
Remedy for a serious disturbance in the economy	<input type="checkbox"/>	<input type="checkbox"/>
Heritage conservation	<input type="checkbox"/>	<input type="checkbox"/>
Culture	<input type="checkbox"/>	<input type="checkbox"/>

⁽¹⁾ A secondary objective is one for which, in addition to the primary objective, the aid will be exclusively earmarked. For example, a scheme for which the primary objective is research and development may have as a secondary objective small and medium-sized enterprises (SMEs) if the aid is earmarked exclusively for SMEs. The secondary objective may also be sectoral, in the case for example of a research and development scheme in the steel sector.

⁽²⁾ Please specify sector in point 4.2.

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2.3. Scheme - Individual aid ⁽¹⁾

2.3.1. Does the notification relate to an aid scheme?

yes no

— If yes, does the scheme amend an existing aid scheme?

yes no

— If yes, are the conditions laid down for the simplified notification procedure pursuant to Article 4(2) of the Implementation Regulation (EC) N° (...) of (...) fulfilled?

yes no

— If yes, please use and complete the information requested by the simplified notification form (see Annex II).

— If no, please continue with this form and specify whether the original scheme which is being amended was notified to the Commission.

yes no

— If yes, please specify

Aid number:

.....

Date of Commission approval (reference of the letter of the Commission (SG(..)D/...):

.../.../.....

Duration of the original scheme:

Please specify which conditions are being amended in relation to the original scheme and why:

.....

2.3.2. Does the notification relate to individual aid?

yes no

— If yes, please tick the following appropriate box

aid based on a scheme which should be individually notified

Reference of the authorised scheme:

Title :

Aid number :

Letter of Commission approval :

individual aid not based on a scheme

2.3.3. Does the notification relate to an individual aid or scheme notified pursuant to an exemption regulation? If yes, please tick the following appropriate box:

Commission Regulation (EC) N° 70/2001 on the application of Article 87 and 88 EC Treaty to State aid to small and medium-sized enterprises ⁽²⁾. Please use the supplementary information sheet under part III, 1

Commission Regulation N° 68/2001 on the application of Articles 87 and 88 EC Treaty to training aid ⁽³⁾. Please use the supplementary information sheet under part III, 2

⁽¹⁾ According to Article 1(e) of Council Regulation (EC) N° 659/1999 of 22 March 1999 laying down detailed rules for the application of Article 93 of the EC Treaty (O) L 83, 27.3.1999, p. 1), individual aid shall mean aid that is not awarded on the basis of an aid scheme and notifiable award of aid on the basis of a scheme.

⁽²⁾ Commission Regulation (EC) N° 70/2001 of 12 January 2001 on the application of Articles 87 and 88 of the EC Treaty to State aid to small and medium sized enterprises, OJ L 10, 13.1.2001, p. 33.

⁽³⁾ Commission Regulation (EC) N° 68/2001 of 12 January 2001 on the application of Articles 87 and 88 of the EC Treaty to State aid to training aid, OJ L 10, 13.1.2001, p. 20.

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Commission Regulation (EC) N° 2204/2002 on the application of Articles 87 and 88 EC Treaty to State aid for employment ⁽¹⁾. Please use the supplementary information sheet under part III, 3.

Commission Regulation (EC) N° 1/2004 on the application of Articles 87 and 88 EC Treaty to State aid to small and medium-sized enterprises active in the production, processing and marketing of agricultural products (OJ L 1 of 03.01.2004).

3. National Legal Basis

3.1. Please list the national legal basis including the implementing provisions and their respective sources of references:

Title:

.....

.....

Reference (where applicable):

.....

.....

3.2. Please indicate the document(s) enclosed with this notification:

A copy of the relevant extracts of the final text(s) of the legal basis (and a web link, if possible)

A copy of the relevant extracts of the draft text(s) of the legal basis (and a web link, if existing)

3.3. In case of a final text, does the final text contain a clause whereby the aid granting body can only grant after the Commission has cleared the aid (stand still clause)?

yes no

4. Beneficiaries

4.1. Location of the beneficiary(ies)

in (an) unassisted region(s)

in (a) region(s) eligible for assistance under Article 87(3)(c) EC Treaty (specify at NUTS-level 3 or lower)

in (a) region(s) eligible for assistance under Article 87(3)(a) EC Treaty (specify at NUTS-level 2 or lower)

mixed: specify

4.2. Sector(s) of the beneficiary(ies):

- Not sector specific
- A Agriculture
- B Fisheries
- C Mining and Quarrying
- 10.1 Coal
- D Manufacturing industry
- 17 Textiles
- 21 Pulp and paper
- 24 Chemical and pharmaceutical industry
- 24.7 Man-made fibres
- 27.1 Steel ⁽²⁾
- 29 Industrial machinery
- DL Electrical and optical equipment
- 34.1 Motor vehicles
- 35.1 Shipbuilding
- Other Manufacturing sector, please specify:.....

⁽¹⁾ Commission Regulation (EC) N° 2204/2002 of 12 December 2002 on the application of Articles 87 and 88 of the EC Treaty to State aid for employment, OJ L 337, 13.12.2002, p. 3 and OJ L 349, 24.12.2002, p. 126.

⁽²⁾ Annex B to the Communication from the Commission: "Multisectoral framework on regional aid for large investment projects", OJ C 70, 19.3.2002, p. 8.

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-E Electricity, gas and water supply
-F Construction
-52 Retail Services
-H Hotels and restaurants (Tourism)
-I Transport
 -60 Land transport and transport via pipelines
 -60.1 Railways
 -60.2 Other land transport
 -61.1 Sea and coastal water transport
 -61.2 Inland water transport
 -62 Air transport
 -64 Post and telecommunications
-J Financial intermediation
-72 Computer and related activities
-92 Recreational, cultural and sporting activities
- Other, please specify according to NACE rev. 1.1 classification (?):
.....

4.3. In case of an individual aid:

Name of the beneficiary :

Type of beneficiary :

SME

Number of employees :

Annual turnover :

Annual balance-sheet :

Independence :

(please attach a solemn declaration in line with the Commission Recommendation on SME (?) or provide any other evidence to demonstrate the above criteria):
.....

large enterprise

firm in difficulties (3)

4.4. In case of an aid scheme:

Type of beneficiaries:

all firms (large firms and small and medium-sized enterprises)

only large enterprises

small and medium-sized enterprises

medium-sized enterprises

small enterprises

micro enterprises

the following beneficiaries:

Estimated number of beneficiaries:

under 10

from 11 to 50

from 51 to 100

from 101 to 500

from 501 to 1000

over 1000

(1) NACE Rev.1.1 is the Statistical classification of economic activities in the European Community.

(2) Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized, OJ L 124, 20.5.2003, p. 36 and Draft Commission Regulation (EC) N° .../...of amending Regulation (EC) N° 70/2001 as regards the extension of its scope to include aid for research and development.

(3) As defined in the Community Guidelines for rescuing and restructuring firms in difficulties OJCE C 288 of 9.10.1999, p. 218.

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5. Amount of aid / Annual expenditure

In case of an individual aid, indicate the overall amount of each measure concerned:

.....

In case of a scheme, indicate the annual amount of the budget planned and the overall amount (in national currency):

.....

For tax measures, please indicate the estimated annual and overall revenue losses due to tax concessions for the period covered by the notification:

.....

If the budget is not adopted annually, please specify what period it covers:

.....

If the notification concerns changes to an existing scheme, please give the budgetary effects of the notified changes to the scheme:

.....

6. Form of the aid and means of funding

Specify the form of the aid made available to the beneficiary (where appropriate, for each measure):

Direct grant

Soft loan (including details of how the loan is secured)

Interest subsidy

Tax advantage (e.g. tax allowance, tax base reduction, tax rate reduction, tax deferral). Please specify:

.....

Reduction of social security contributions

Provision of risk capital

Debt write-off

Guarantee (including amongst others information on the loan or other financial transaction covered by the guarantee, the security required and the premium to be paid)

Other. Please specify:

For each instrument of aid, please give a precise description of its rules and conditions of application, including in particular the rate of award, its tax treatment and whether the aid is accorded automatically once certain objective criteria are fulfilled (if so, please mention the criteria) or whether there is an element of discretion by the awarding authorities.

.....

Specify the financing of the aid: if the aid is not financed through the general budget of the State/region/municipality, please explain its way of financing:

Through parafiscal charges or taxes affected to a beneficiary, which is not the State. Please provide full details of the charges and the products/activities on which they are levied. Specify in particular whether products imported from other Member States are liable to the charges. Annex a copy of the legal basis for the imposition of the charges

Accumulated reserves

Public enterprises

Other (please specify).....

7. Duration

7.1. In the case of an individual aid:

Indicate the date when the aid will be put into effect (If the aid will be granted in tranches, indicate the date of each tranche)

.....

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

Specify the duration of the measure for which the aid is granted, if applicable

.....

7.2. In the case of a scheme:

Indicate the date from which on the aid may be granted

.....

Indicate the last date until which aid may be granted

.....

If the duration exceeds six years, please demonstrate that a longer time period is indispensable to achieve the objective(s) of the scheme:

.....

8. **Cumulation of different types of aid**

Can the aid be cumulated with aid received from other local, regional, national or Community schemes to cover the same eligible costs?

yes no

If so, describe the mechanisms put in place in order to ensure that the cumulation rules are respected:

.....

9. **Professional Confidentiality**

Does the notification contain confidential information which should not be disclosed to third parties?

yes no

If so, please indicate which parts are confidential and explain why:

.....

.....

If no, the Commission will publish its decision without asking the Member State.

10. **Compatibility of the aid**

Please identify which of the existing Regulations, frameworks, guidelines and other texts applicable to State aid provide an explicit legal basis for the authorisation of the aid (where appropriate please specify for each measure) and complete the relevant supplementary information sheet(s) in part III

- SME aid
 - Notification of an individual aid pursuant to Article 6 of Regulation (EC) N° 70/200 1
 - Notification for legal certainty
 - Aid for SMEs in the agricultural sector
- Training aid
 - Notification of an individual aid pursuant to Article 5 of Regulation (EC) N° 68/200 1
 - Notification for legal certainty
- Employment aid
 - Notification of an individual aid pursuant to Article 9 of Regulation (EC) N° 2204/2002
 - Notification of a scheme pursuant to Article 9 of Regulation (EC) N° 2204/2002
 - Notification for legal certainty
- Regional aid
 - Aid coming under the multisectoral framework on regional aid for large investment projects
 - Research and development aid
 - Aid for rescuing firms in difficulty
 - Aid for restructuring firms in difficulty
 - Aid for audio-visual production
 - Environmental protection aid

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

- Risk capital aid
- Aid in the agricultural sector
- Aid in the transport sector
- Shipbuilding aid

Where the existing Regulations, frameworks, guidelines or other texts applicable to State aid do not provide an explicit basis for the approval of any of the aid covered by this form, please provide a fully reasoned justification as to why the aid could be considered as compatible with the EC Treaty, referring to the applicable exemption clause of the EC Treaty (Article 86(2), Article 87(2) (a) or (b) , Article 87(3) (a), (b), (c) or (d)) as well as other specific provisions relating to Agriculture and Transport

11. **Outstanding recovery orders**

In the case of individual aid has any potential beneficiary of the measure received state aid which is the subject of an outstanding recovery order by the Commission?

- yes no

If yes, please provide complete details:.....
.....
.....
.....

12. **Other Information**

Please indicate here any other information you consider relevant to the assessment of the measure(s) concerned under State aid rules.

13. **Attachments**

Please list here all documents which are attached to the notification and provide paper copies or direct internet links to the documents concerned.

14. **Declaration**

I certify that to the best of my knowledge the information provided on this form, its annexes and its attachments is accurate and complete.

Date and place of signature:

Signature:

Name and position of person signing:

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

PART II

SUMMARY INFORMATION FOR PUBLICATION IN THE OFFICIAL JOURNAL

Number of aid:	(to be completed by the Commission)		
Member State:			
Region:			
Title and objective of aid schemes or name of company beneficiary of an individual aid (aid based on a scheme which should however be notified individually and aid not based on a scheme):			
Legal basis:			
Annual expenditure planned or overall amount of individual aid granted: (In national currency)	Aid scheme	Annual expenditure planned:	Euro ... million
		Overall amount:	Euro ... million
	Individual aid	Overall amount of each measure:	Euro ... million
Duration:			
Maximum aid intensity of the individual aid or the aid scheme:			
Economic sectors:	All sectors:		
	— or Limited to specific sectors as mentioned in the "General information", (Part I, par. 4.2.)		
Name and address of the granting authority	Name:		

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

SUPPLEMENTARY INFORMATION SHEETS

To be completed as necessary depending on the type of aid concerned:

1. SME aid
2. Training aid
3. Employment aid
4. Regional aid
5. Aid coming under the multisectoral framework
6. Research and development aid
 - a) in the case of a scheme
 - b) in the case of individual aid
7. Aid for rescuing firms in difficulty
 - a) in the case of a scheme
 - b) in the case of individual aid
8. Aid for restructuring firms in difficulty
 - a) in the case of a scheme
 - b) in the case of individual aid
9. Aid for audio-visual production
10. Environmental protection aid
11. Risk capital aid
12. Aid in the agricultural sector
 - a) Aid for agriculture
 - i. Aid for investment in agricultural holdings
 - ii. Aid for investments in connection with the processing and marketing of agricultural products
 - b) Agri-environmental aid
 - c) Aid to compensate for handicaps in the less favoured areas
 - d) Aid for the setting up of young farmers
 - e) Aid for early retirement or for the cessation of farming activities
 - f) Aid for closing production, processing and marketing capacity
 - g) Aid for producer groups
 - h) Aid to compensate for damage to agricultural production or the means of agricultural production
 - i) Aid for land reparation
 - j) Aid for the production and marketing of quality agricultural products
 - k) Aid for the provision of technical support in the agricultural sector
 - l) Aid for the livestock sector
 - m) Aid for the outermost regions and the Aegean Islands
 - n) Aid in the form of subsidised short-term loans
 - o) Aid for the promotion and advertising of agricultural and certain non-agricultural products
 - p) Aid for rescue and restructuring firms in difficulty
 - q) Aid for TSE tests; fallen stock and slaughterhouse waste
13. Aid in the transport sector
 - a) Individual aid for restructuring firms in difficulty in the aviation sector
 - b) Aid for transport infrastructure
 - c) Aid for maritime transport
 - d) Aid for combined transport
- ⁽¹⁾14. Aid to the fisheries sector ◀

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

PART III.1

SUPPLEMENTARY INFORMATION SHEET ON SME AID

This supplementary information sheet must be used for the notification of any individual aid pursuant to Article 6 of Regulation (EC) 70/2001 ⁽¹⁾ in its modified form ⁽²⁾. It must also be used in the case of any individual aid or scheme, which is notified to the Commission for reasons of legal certainty.

1. Type of individual aid or scheme

Does the individual aid or scheme relate to:

- 1.1. investment aid
- 1.2. consultancy and other services and activities including participation in fairs
- 1.3. R&D expenditure
- yes:
 — for notifications of R & D aid to SMEs please complete:
 — supplementary information sheet for R & D a for aid schemes
 — supplementary information sheet for R & D b for individual aid

2. Initial Investment Aid

2.1. Does the aid cover investment in fixed capital relating to:

- the setting-up of a new establishment ?
 the extension of an existing establishment ?
 the starting-up of a new activity involving a fundamental change in the product or production process of an existing establishment (through rationalisation, diversification or modernisation)?
 the purchase of an establishment, which has closed, or which would have closed had it not been purchased?

Is replacement investment excluded?

yes no

2.2. Is the aid calculated as percentage of:

- the investment's eligible costs
 the wage costs of employment created by the investment (aid to job creation)

2.3. a) investment in tangible assets:

Is the value of the investment established as a percentage on the basis of :

- land ?
 buildings ?
 plant/machinery (equipment)?

Please provide a short description:

.....

If the undertaking has its main economic activity in the transport sector, are transport means and transport equipment excluded from the eligible costs (except for railway rolling stock)?

yes no

⁽¹⁾ Commission Regulation (EC) N° 70/2001 of 12 January 2001 on the application of Articles 87 and 88 of the EC Treaty to State aid to small and medium sized enterprises, OJ L 10, 13.1.2001, p. 33.

⁽²⁾ OJ L 63, 28.2.2004, p. 22.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

If no, please specify the transport means or equipment that are eligible:

.....
.....

- b) purchasing price for the take over of an establishment which has closed or which would have closed had it not been purchased
- c) intangible investment

The eligible costs of intangible investment shall be the costs of acquisition of the technology:

- patents' rights
- operating or patented know-how licences
- unpatented know-how (technical knowledge)

Please provide a short description ⁽¹⁾

- d) wage costs:

Is the amount of the aid expressed as a percentage of the wage costs over a period of two years relating to the employment created?

yes no

2.4. Intensity of the aid

2.4.1 Investment projects situated outside of assisted regions under Article 87(3)(c) and under Article 87(3)(a) for:

small enterprises medium sized enterprises

2.4.2 What are the intensities of the aid for investment projects expressed in gross terms?

Please specify:.....
.....

Investment projects situated inside of assisted regions under Article 87(3)(c) and under Article 87(3)(a):

small enterprises medium sized enterprises

What are the intensities of the aid for investment projects expressed in gross terms? Please specify:

.....
.....

3. Cumulation of the aid

3.1. What is the maximum ceiling for cumulated aid?

Please specify:

4. Specific conditions for aid for job creation

4.1. Does the aid provide for guarantees that the aid for job creation is linked to the carrying-out of an initial investment project in tangible or intangible assets?

yes no

4.2. Does the aid provide for guarantees that the aid for job creation is created within three years of the investment's completion?

yes no

⁽¹⁾ This description should reflect how the authorities intend to ensure consistency with point 4.6 of the Guidelines of National Regional Aid, OJ 74, 10.3.1998, p. 9, as amended by the community Guidelines on State aid for Rescuing and Restructuring Firms in Difficulty, OJ C 288, 9.10.1999, p. 2, and the subsequent Amendments to the Guidelines on National Regional Aid, OJ C 258, 9.9.2000, p.5.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

Should one of the two previous questions be answered in the negative, please explain how the authorities intend to comply with these requirements:

.....

- 4.3. Does the employment created represent a net increase in the number of employees in the establishment concerned, compared with the average over the past 12 months?

yes no

- 4.4. Does the aid provide for guarantees that the employment within the qualified region will be maintained for a minimum period of five years?

yes no

If yes, what are the guarantees for that?

- 4.5. Does the aid provide for guarantees that the jobs lost during the period of reference are being deducted from the apparent number of jobs created during the same period?

yes no

5. Specific Conditions for Investment Project in assisted areas with higher regional aid

- 5.1. Does the aid include a clause stipulating that the recipient has made a minimum contribution of at least 25% of the total investment and that this contribution will be exempted of any aid?

yes no

- 5.2. What are the guarantees that the aid for initial investment (both material and intangible investment) is made conditional on the maintenance of the investment for a minimum period of five years?
-
-

6. Aid to consultancy and other service activities

- 6.1. Are eligible costs limited to:

- costs for services provided by outside consultants and other services providers?

Please specify if such services are not a continuous or periodic activity nor relate to the enterprise's usual operating expenditure, such as routine tax consultancy services, regular legal service or advertising

.....

.....

- costs of firms participating in fairs and exhibitions? Please specify if the aid is related to the additional costs incurred for renting, setting up and running the stand:

Is the participation limited to the first participation in a fair or exhibition?

yes no

- Other costs (in particular cases where aid is awarded directly to the service(s) provider or consultant(s) Please specify under which conditions:

- 6.2. Please indicate the maximum aid intensity expressed in gross terms:

If the aid intensity exceeds 50 % gross please indicate in detail why this aid intensity should be necessary:

.....

- 6.3. Please indicate the maximum ceiling for cumulated aid:
-
-

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

7. Necessity of the aid

7.1. Does the aid foresee that any application for aid must be submitted before work on the project is started?

yes no

7.2. If not has the Member State adopted legal provisions establishing a legal right to aid according to objective criteria, and without further exercise of discretion by the Member States?

yes no

8. Other Information

Please indicate here any other information you consider relevant to the assessment of the measure(s) concerned under the Regulation (EC) 70/2001.

PART III.2

UPPLEMENTARY INFORMATION SHEET ON TRAINING AID

This supplementary information sheet must be used for the notification of individual aid pursuant to Article 5 of the Regulation (EC) 68/2001 ⁽¹⁾ in its modified form ⁽²⁾. It must also be used in the case of any individual aid or scheme, which is notified to the Commission for reasons of legal certainty.

1. Scope of the individual aid or scheme

1.1. Does the measure apply to the production and/or processing and/or marketing of the agricultural products listed in Annex I to the EC Treaty?

yes no

1.12. Does the measure apply to the production, processing and/or marketing of the fisheries and/or aquaculture products listed in Annex I to the EC Treaty?

yes no

1.13. Is the aid foreseen for the maritime transport sector?

yes no

If yes, please answer the following questions:

Is the trainee not an active member of the crew but a supernumerary on board?

yes no

Shall the training be carried out on board ships entered on Community registers?

yes no

1.4. What are the intensities of the aid expressed in gross terms? Please specify:

.....

2. Type of scheme or individual aid

Does the scheme or the individual aid relate to:

⁽¹⁾ Commission Regulation (EC) No 68/2001 of 12 January 2001 on the application of Articles 87 and 88 to training aid, OJ L 10, 13.1.2001, p. 20.

⁽²⁾ OJ L 63, 28.2.2004, p. 20.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

2.1 Specific training:

yes no

If yes, please give a description of the measure related to specific training:

.....

2.2. General training:

yes no

If yes, please give a description of the measure related to general training:

.....

2.3. Training aid given to disadvantaged workers:

yes no

If yes, please give a description of the measure related to disadvantaged workers:

.....

2.4. Intensity of the aid

2.4.1. Aid for general training

2.4.1.1. granted outside of assisted regions under to Article 87.(3)(a) EC Treaty and 87 3(c) EC Treaty:

If yes, please specify what are the intensities expressed in gross terms for:

- large enterprises:
- small or medium-sized enterprises:

If yes, please specify what are the intensities in case that the training is given to disadvantaged workers:

.....

2.4.1.2. granted in assisted regions under Article 87(3)(a) EC Treaty and under Article 87 (3)(c) EC Treaty

If yes, please specify what are the intensities expressed in gross terms for:

- large enterprises:
- small or medium sized enterprises:

If yes, please specify what are the intensities in case that the training is given to disadvantaged workers:

.....

2.4.2. Aid for specific training

2.4.2.1. granted outside of assisted regions under Article 87(3)(a) EC Treaty and under Article 87 (3)(c) EC Treaty:

yes no

If yes, please specify what are the intensities expressed in gross terms for:

- large enterprises:
- small or medium sized enterprises:

If yes, please specify what are the intensities in case that the training is given to disadvantaged workers:

.....

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

- 2.4.2.2. granted in assisted regions under Article 87(3)(a) EC Treaty and under Article 87 (3)(c) EC Treaty

If yes, please specify what are the intensities expressed in gross terms for:

— large enterprises:.....

— small or medium sized enterprises:

If yes, please specify what are the intensities in case that the training is given to disadvantaged workers:

.....

3. Eligible costs

Which are the eligible costs foreseen under the scheme or for the individual aid ?

- trainers personnel costs
- trainers and trainees travel expenses
- other current expenses such as materials and supplies
- depreciation of tools and equipment, to the extent that they are used exclusively for the training project
- cost of guidance and counselling services with regard to the training project
- trainees personnel
- indirect costs (administrative, rent, overheads, transport and tuition costs for participants)

In the case of ad hoc individual aid under a scheme, please provide for each of the eligible costs documentary evidence, which shall be transparent and itemized.....

4. Cumulation

Can the aid foreseen in the scheme or in the individual aid be cumulated?

- yes no

If yes, can the aid intensities as stipulated in Art. 4 of the Regulation No 68/2001 be exceeded by this cumulation?

- yes no

5. Other Information

Please indicate here any other information you consider relevant to the assessment of the measure(s) concerned under the Regulation (EC) 68/2001.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

PART III.3

SUPPLEMENTARY INFORMATION SHEET ON EMPLOYMENT AID

This supplementary information sheet must be used for the notification of any individual aid or any scheme pursuant to Article 9 of Regulation (EC) 2204/2002 ⁽¹⁾. It must also be used in the case of an individual aid or scheme, which is notified to the Commission for reasons of legal certainty. This supplementary information sheet must as well be used for the notification of any employment aid in the transport sector (granted pursuant to Art. 4(6) of the SME Regulation or pursuant to the Regional Guidelines).

1. Scope Of The Individual Aid Or Scheme

- 1.1. Does the measure apply to the production and/or processing and/or marketing of the agricultural products listed in Annex I to the EC Treaty?

yes no

- 1.2. Does the measure apply to the production, processing and/or marketing of the fisheries and/or aquaculture products listed in Annex I to the EC Treaty?

yes no

2. Creation Of Employment

- 2.1. Are the aid intensities calculated with regard to the wage costs over a period of two years relating to the employment created?

yes no

- 2.2. Is the creation of employment for SMEs outside of assisted areas under the Article 87.(3).(a) EC Treaty and under Article 87 (3).(c) EC Treaty or sectors?

yes no

if yes please specify what are the intensities expressed in gross terms
.....

Is the creation of employment in assisted areas according to Article 87(3)(a) EC Treaty and 87(3)(c) EC Treaty or sectors?

yes no

- 2.2.1. Is the aid defined in terms of intensity compared to standard reference cost?

yes no

Is the aid subject to taxes?

yes no

What are the intensities expressed in net terms?
.....

Shall the ceiling be increased because the scheme or the aid is applicable also to SMEs?

yes no
.....

If yes please specify what increases are foreseen, expressed in gross terms
.....

⁽¹⁾ Commission Regulation (EC) No 2204/2002 of 12 December 2002 on the application of Articles 87 and 88 of the EC Treaty to State aid for employment, OJ L 337, 13.12.2002, p. 3 and OJ L 349, 24.12.2002, p. 126.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

2.2.2. Has the recipient to make a minimum contribution, exempted of any aid, of at least 25% of the eligible costs?

yes no

2.2.3. Does the aid provide that the employment is maintained for a minimum period of three years in the case of large enterprises?

yes no

Does the aid provide that the employment in the regions or sectors which qualify for regional aid is maintained for a minimum period of two years in the case of SMEs?

yes no

If yes, what are the guarantees that the aid linked or not linked to the initial investment is made conditional on the maintenance of the employment for a minimum period of two or three years?

2.2.4. Does the employment created represent a net increase in the number of employees, both in the establishment and in the enterprise concerned, compared with the average over the past 12 months?

yes no

2.2.5. Have the new workers employed never had a job or have lost or are in the process of losing their previous job?

yes no

2.2.6. Does the scheme provide that any application for aid must be submitted before the employment concerned is created?

yes no

If not has the Member State adopted legal provisions establishing a legal right to aid according to objective criteria, and without further exercise of discretion by the Member States?

yes no

2.2.7. Does the aid provide that in cases where the employment created is linked to the carrying-out of a project of investment in tangible and intangible assets and the employment is created within three years of the investment's completion for a minimum period of three years in the case of SMEs, the application for aid must be submitted before work is started on the investment projects?

yes no

2.3 In case of creation of employment in the production, processing and marketing of products listed in Annex I to the EC Treaty in areas which qualify as less favoured areas under Council Regulation (EC) No 1257/1999 ⁽¹⁾, will the aid be granted according to the higher regional aid ceilings mentioned in article 4, paragraph 3, fourth subparagraph of Regulation (EC) No 2204/2002 or, where applicable, according to the higher aid ceilings of Regulation (EC) No 1257/1999. Please indicate which will be the intensity of the aid granted.

3. Recruitment Of Disadvantaged And Disabled Workers

3.1. Are the aid intensities calculated with regard to the wage costs over a period of one year relating to the employment created?

yes no

Do the gross aid intensities of all aid relating to the employment of the disadvantaged or disabled workers exceed respectively 50 % or 60 %?

yes no

⁽¹⁾ Council Regulation (EC) 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations, OJ L 160, 26.6.1999, p. 80.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

3.2. Does the recruitment represent a net increase in the number of employees in the establishment concerned?

yes no

If not, have the post or posts fallen vacant following voluntary departure, retirement on grounds of age, voluntary reduction of working time or lawful dismissal for misconduct and not as a result of redundancy?

yes no

3.3. Is the aid limited to disadvantaged workers in the meaning of Article 2 (f)?

yes no

3.4. Is the aid limited to disabled workers in the meaning of Article 2 (g)?

yes no

If the aid is not limited to disadvantaged or disabled workers in the meaning of Article 2 (f) and (g) please explain in detail why you consider that targeted categories of workers should be considered as disadvantage

4. Additional Costs Of Employment Of Disabled Workers

4.1. Does the aid refer to the recruitment of individual disabled workers and ancillary costs?

yes no

If yes please demonstrate that the conditions of Article 6.2 are fulfilled

4.2. Does the aid refer to sheltered employment?

yes no

If yes, please demonstrate that the aid does not exceed the costs of constructing, installing or expanding the establishment concerned, and any costs of administration and transport which result from employment of disabled workers:

5. Cumulation

5.1. Does the aid ceiling fixed in Article 4, 5 and 6 apply regardless of whether the support is financed entirely from state resources or is partly financed by the Community?

yes no

5.2. Can the notified aid for the creation of new jobs be cumulated with other State aid within the meaning of Article 87 (1) EC Treaty or with other Community funding in relation to the same wage costs?

yes no

If yes can the cumulation lead to a result where the aid intensity as fixed in Article 4(2) and (3) is exceeded (aid for disadvantaged and disabled workers excluded)?

yes no

5.3. Can the notified aid for the creation of employment under Article 4 of this regulation be cumulated with any other State aid within the meaning of Article 87 (1) EC Treaty in relation to the costs of any investment to which the created employment is linked and which has not yet been completed at the time the employment is created or which was completed in the three years before the employment was created?

yes no

If yes can the cumulated aid result in an aid intensity exceeding the relevant ceiling of regional investment aid determined in the guidelines in regional investment aid and in the map approved by the Commission for each member State or the ceiling in Exemption Regulation (EC) N 70/2001?

yes no

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

5.4. Can the aid for the recruitment of disadvantaged or disabled workers under Article 5 and 6 be cumulated with aid and/or Community funding for the creation of employment under Article 4 in relation with the same wage costs?

yes no

If yes, is it ensured that such cumulation does not result in a gross aid intensity exceeding 100 % of the wage costs over any period for which the worker or workers are employed?

5.5. Can the aid for the recruitment of disadvantaged or disabled workers under Article 5 and 6 of the Regulation be cumulated with other State aid and/or with other Community funding for other purposes than the creation of employment under Article 4 of the Regulation in relation to the same wage costs?

yes no

If yes, please explain the "other purposes":.....

If yes is it ensured that such cumulation does not result in a gross aid intensity exceeding 100 % of the wage costs over any period for which the worker or workers are employed?

yes no

6. **Other Information**

Please indicate here any other information you consider relevant to the assessment of the measure(s) concerned under the Regulation (EC) 2204/2002.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

PART III.4

SUPPLEMENTARY INFORMATION SHEET ON REGIONAL AID

This supplementary information sheet must be used for the notification of any aid scheme or ad hoc aid covered by the guidelines on national regional aid for 2007-2013 (RAG) ⁽¹⁾. The present annex cannot be used for the particular purpose of notification of new regional aid maps for the period 2007-2013. Transparent investment aid schemes falling under the scope of the exemption regulation on regional investment aid are exempted from the notification obligation. Therefore, Member States are invited to clarify the scope of their notification; in the particular case that a scheme covers both transparent and non-transparent forms of investment aid, they are invited to limit the scope of the notification only to the second category.

In the case of *ad hoc aid* (i.e. aid granted outside existing aid schemes), Member States will have to demonstrate that the project contributes towards a coherent regional development strategy and that, having regard to the nature and size of the project, it will not result in unacceptable distortions of competition. Moreover, Member States will have to demonstrate that the aid will not be unduly concentrated on a particular sector of activity and that it creates no adverse sectoral effects.

Another supplementary information sheet (Part III.5) must be submitted in case of notification of regional investment aid to large investment projects in the accordance with section 4.3 of the RAG.

1. Scheme or ad hoc aid

The scheme or the ad hoc aid relates to

1.1. initial investment

The aid is calculated as a percentage of the investment's eligible material and immaterial costs

The aid is calculated as a percentage of the expected wage costs of the persons to be hired

operating aid

aid for newly-created small enterprises

combination of any above

1.2. The aid is granted:

automatically, should the conditions of the scheme be fulfilled

on a discretionary basis, following a decision of the authorities

Should the aid be granted on a discretionary basis, please provide a short description of the criteria followed and attach a copy of the administrative provisions applicable for the awarding of aid:

.....

1.3. Does the aid respect the regional aid ceilings determined in the regional aid map in force at the time of awarding the aid, including those resulting from the provisions applicable to aid for large investment projects (section 4.3 of RAG)?

yes no

Does the scheme include a reference to the regional aid map in force?

yes no

⁽¹⁾ Guidelines on national regional aid for 2007-2013 (OJ C 54, 4.3.2006, p. 13).

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

2. Initial investment aid

2.1. Does the scheme cover investment in fixed capital or job creation linked to initial investment relating to:

- the setting-up of a new establishment?
- the extension of an existing establishment?
- diversification of the output of an establishment into new, additional products?
- a fundamental change in the overall production process of an existing establishment?
- the acquisition by an independent investor of capital assets directly linked to an establishment which has closed or which would have closed had it not been purchased?

2.2. Where the aid is calculated on the basis of material or immaterial investment costs, or of acquisition costs in the case of a takeover, does the aid include a clause stipulating that the beneficiary makes a financial contribution of at least 25 % of the total eligible costs and that this contribution will be free of any public support, including *de minimis* aid?

yes no

2.3. Where the aid is granted automatically on the basis of objective criteria under a legal basis giving rights to the beneficiaries to receive the aid, does the scheme exclude the award of aid to projects which have started before the entry into force of the legal basis?

yes no

Where the aid is not granted automatically, does the scheme provide that the application for aid must be submitted before work is started on the project and the competent authorities must have confirmed in writing that, subject to the final outcome of a detailed verification, the project meets the conditions of eligibility laid down by the scheme (see p. 38 of the RAG)?

yes no

In the case of ad hoc aid, did the competent authority issue a letter of intent to award aid before work started on the project, which was conditional on the Commission approval of the measure?

yes no

If any of the previous points mentioned above under 2.3 are not fulfilled, please explain why and how the authorities intend to comply with these necessary conditions:

.....

2.4. What are the aid intensities under the scheme or ad hoc aid expressed in gross terms?

.....

What are the parameters enabling the calculation of aid intensities?

.....

2.4.1. Grants

in nominal amount

.....

in present (discounted) value

.....

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

2.4.2. Tax measures

How is the discounted value of the tax capped and to which aid intensity?

.....

2.4.3. Public soft loans

maximum period of the loan:

.....

maximum proportion (amount of the loan as a % of the eligible investment):

.....

maximum length of the grace period:

.....

minimum interest rate:

.....

— Is the loan covered by normal securities required by banks?

yes no

If yes, to what extent?

.....

— What is the expected default rate, by categories of beneficiaries?

.....

— Is the interest rate increased in situations involving a particular risk?

yes no

— Is the interest rate fixed, variable, dependent on profits, a combination of above?

.....

— Are the loans subordinated?

yes no

2.4.4. Interest rate subsidy:

maximum amount of the rebate:

.....

maximum proportion (amount of the loan as a % or proportion of the eligible investment):

.....

maximum length of the grace period:

.....

duration of the loan:

.....

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

2.4.5. *Guarantee schemes*

Please indicate the types of loans for which guarantees may be granted:

.....

Please indicate the method and the parameters used for the calculation of the grant equivalent of the guarantee, including duration, proportion and amount of the loan:

.....

Please specify the premiums paid by the State to the bank:

.....

What is the expected default rate, by categories of beneficiaries?

.....

What is the maximum coverage (percentage) of a loan by the guarantee?

.....

What are the conditions for the mobilisation of guarantees?

.....

2.4.6. *Public participations*

Please indicate if the scheme involves aid in form of public participations:

.....

To what extent does the public participation deviate from the Market Economy Investor principle?

.....

Please provide relevant information in order to calculate the aid element of the public participation:

.....

2.4.7. *Other:*

.....

2.5. Is replacement investment excluded from the scheme?

yes no

If not, the authorities are requested to fill in section 3 of this form on operating aid.

2.6. Is assistance for firms in difficulty ⁽¹⁾ and/or for the financial restructuring of firms in difficulty excluded from the scheme?

yes no

⁽¹⁾ As defined in the Community guidelines on State aid for rescuing and restructuring firms in difficulty (OJ C 244, 1.10.2004, p. 2).

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

2.7. Investment aid calculated as a percentage of the investment's eligible material and immaterial costs

Does the eligible expenditure under the scheme relate to:

2.7.1. *Material assets:*

The value of the investment is established on the basis of (1):

- land
- buildings
- plant/machinery (equipment)
- in case of a takeover, capital assets

Please provide a short description:

.....

.....

Are the assets acquired new, except in the case of SMEs and takeovers?

- yes no

Please specify:

.....

Does the scheme ensure that any aid awarded in the past for the acquisition of assets in case of takeovers has been taken into account/deducted prior to the purchase (see p. 54 of the RAG)?

- yes no

Please specify:

.....

How is it ensured that the transactions in case of takeovers will take place under market conditions?

.....

Are costs related to the acquisition of assets — other than land and buildings — under financial lease included in the eligible expenditure?

- yes no

Does the lease contain an obligation to purchase the asset — other than land and buildings — at the expiry of the term of the lease?

- yes no

(1) In the transport sector, expenditure on the purchase of transport equipment (movable assets) is not eligible for investment aid.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

For the financial lease of land and buildings, does the lease continue for at least five years after the anticipated date of the completion of the investment project, for large companies, and three years for SMEs?

yes no

Should one of the previous questions under 2.7 be answered in the negative, please explain how the authorities intend to comply with the necessary conditions:

.....

2.7.2. *Immaterial assets:*

The value of the investment is established on the basis of expenditure entailed by the transfer of technology through the acquisition of:

- patent rights
- licences
- know-how
- unpatented technical knowledge

Please provide a short description:

.....

Does the scheme include a clause stipulating that the expenditure on eligible intangible investment must not exceed 50 % of the total eligible investment expenditure for the project in the case of large firms?

yes no

Does the measure ensure that eligible immaterial assets:

- are used exclusively in the establishment receiving the regional aid?
- are regarded as amortisable assets?
- are purchased from third parties under market conditions?
- are included in the capital assets of the firm and remain in the establishment receiving the regional aid for at least five years for large companies and three years for SMEs?

Should one of these conditions not be explicitly reflected in the scheme, explain why and how the authorities intend to respect these requirements:

.....

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

Does the scheme include in the eligible expenditure for SMEs the costs of preparatory studies and consultancy costs linked to the investment?

yes no

Does the scheme provide that consultancy costs for SMEs are limited to an aid intensity of up to 50 % of the actual costs incurred?

yes no

2.7.3. How is it ensured that aid for initial investment (both material and immaterial assets) is made conditional on the maintenance of the investment for a minimum period of five years in case of large companies and three years in case of SMEs?

.....

2.8. Investment aid calculated on the basis of wage costs

2.8.1. Does the measure ensure that the aid calculated on the basis of wage costs is linked to an initial investment project?

yes no

2.8.2. Does the measure ensure that job creation means a net increase in the number of employees (ALU) directly employed in a particular establishment compared with the average over the previous 12 months, after deducting any jobs lost during that 12 month period in the same establishment?

yes no

2.8.3. How is it ensured that the eligible expenditure will not exceed the wage costs of a person hired, calculated over a period of two years?

.....

2.8.4. Does the measure ensure that the posts will be filled within three years of the completion of works?

yes no

2.8.5. Does the measure ensure that the jobs created will be maintained within the region concerned for a minimum period of five years (or three years in the case of SMEs) from the date the post was first filled?

yes no

Should one of the previous questions mentioned under 2.8 be answered in the negative, please explain how the authorities intend to comply with these necessary conditions:

.....

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

3. Operating aid

3.1. What is the direct link between the awarding of operating aid and the contribution to regional development?

.....

3.2. What are the structural handicaps that the operating aid is seeking to redress?

.....

3.3. How is it ensured that the nature and the level of the operating aid are proportional to the handicaps it seeks to alleviate?

.....

3.4. What arrangements have been made to ensure that the operating aid is progressively reduced and limited in time?

.....

3.5. Is the operating aid scheme open to all sectors?

yes no

3.6. Is the scheme designed to offset additional transport or employment costs?

yes no

3.7. If one of the above questions (3.5—3.6) is answered negatively, how is it ensured that p. 78 of the RAG is respected?

.....

3.8. Is operating aid intended to promote exports excluded?

yes no

Specific questions relating to the outermost regions or to regions with low population density or regions with least population density

3.9. Should operating aid not be progressively reduced and not be limited in time, please specify whether the following conditions are met:

3.9.1. Does the aid benefit an outermost region or a region with low population density or with least population density?

yes no

3.9.2. Is this aid intended to offset in part additional transport costs?

yes no

Please provide proof of the existence of these additional costs and the method of calculation used to determine their amount ⁽¹⁾. In particular, please provide proof that the conditions of point 81 of the RAG are respected:

.....

Indicate what will be the maximum amount of aid (on the basis of an aid-per-passenger/kilometre ratio or aid per tonne/kilometre) and the percentage of the additional costs covered by the aid:

.....

⁽¹⁾ The description should reflect how the authorities intend to ensure that the aid is given only in respect of the extra cost of transport of goods inside the national borders, it must not be allowed to become export aid, it is calculated on the basis of the most economical form of transport and the shortest route between the place of production or processing and commercial outlets, and cannot be given for the transport of the products of businesses without an alternative location.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

3.9.3. In the outermost regions, is the aid intended to offset the additional costs arising in the pursuit of economic activity from the factors identified in Article 299(2) of the EC Treaty?

yes no

Please determine the amount of the additional cost and the method of calculation:

.....

How can the authorities establish the link between the additional costs and the factors identified in Article 299(2) of the EC Treaty?

.....

3.9.4. Is the aid intended to prevent or reduce the continuing depopulation of the least populated regions?

yes no

How can the authorities demonstrate that the aid proposed is necessary and appropriate to prevent or reduce continuing depopulation and that it will not affect trading conditions to an extent contrary to the common interest?

.....

4. Aid for newly-created small enterprises

Information on the beneficiaries

4.1. Are the beneficiaries small enterprises on the date of granting the aid within the meaning of Article 2 of Annex I to Commission Recommendation 2003/361/EC ⁽¹⁾?

yes no

4.2. Is the aid awarding authority required to verify that all the beneficiaries are autonomous in the meaning of Article 3 of Annex I to Recommendation 2003/361/EC?

yes no

4.3. Does the scheme ensure that aid is only granted to small enterprises which have been created less than five years before the date of granting the aid?

yes no

4.4. Please describe the mechanisms put in place in order to ensure that no misuse of the aid measure takes place in the form of existing enterprises being artificially closed down and re-started in order to receive this type of aid:

.....

Geographical application of the scheme

4.5. Is the aid scheme limited to assisted areas only?

yes no

⁽¹⁾ OJ L 124, 20.5.2003, p. 36.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

4.6. The beneficiaries conduct their economic activity in the following regions (please specify in conformity with the denomination of the regions as defined in the regional aid map):

— All assisted areas in the Member State concerned

yes no

— Article 87(3)(a) region(s)

yes no

Please specify the region(s) (NUTS):

.....

— Article 87(3)(c) region(s)

yes no

Please specify the region(s) (NUTS):

.....

Eligible expenditure

4.7. Are legal, advisory, consultancy and administrative costs directly related to the creation of the enterprise included in the eligible expenditure?

yes no

If yes, please specify:

4.8. Are the eligible costs strictly limited to those that are incurred within the first five years after the creation of the enterprise and, within those five years, to the time when the company qualifies as a small enterprise according to Article 2 and 3 of Annex I to Recommendation 2003/361/EC?

yes no

4.9. Please indicate in the following list, which costs are included in the eligible expenditures:

— Interests on external finance

— Dividend on own capital employed, not exceeding the reference rate

— Fees for renting production facilities/equipment

— Energy, water, heating costs

— Taxes (other than VAT and corporate taxes on business income)

Please specify:

— Administrative charges

Please specify:

— Depreciation

— Fees for leasing production facilities/equipment

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

— Wage costs

Are compulsory social charges included in the wage costs?

yes no

As regards depreciation, fees for leasing production facilities/equipment or wage costs, can you confirm that the underlying investments or job creation and recruitment measures have not benefited or will not benefit from other forms of aid?

yes no

Aid intensities

4.10. What is the aid intensity foreseen by the measure for eligible expenses incurred within the first three years after the creation of the enterprises or for expenditures directly related to the creation of the enterprise?

... % for Article 87(3)(a) region(s)

... % for Article 87(3)(c) region(s)

4.11. What is the aid intensity foreseen by the measure for eligible expenses incurred in the fourth and fifth year after the creation of the enterprises?

... % for Article 87(3)(a) region(s)

... % for Article 87(3)(c) region(s)

4.12. Is the aid intensity increased by five percentage points as indicated under point 89 of the RAG?

yes no

If yes, please specify:

— For Article 87(3)(a) regions with a GDP ⁽¹⁾ of less than 60 % of Community average

yes no

— For low population density regions with less than 12,5 inhabitants/km²

yes no

— For small islands with a population of less than 5 000

yes no

— For other communities with a population of less than 5,000 suffering from similar isolation like islands

yes no

Please specify the region(s):

4.13. In case the beneficiaries have establishments located in more than one type of region (Article 87(3)(a) or (c), outside assisted areas or those indicated under 4.12.), please indicate how it will be ensured that intensities or a possible top-up are applied correctly:

.....

Aid amount

4.14. Is the maximum aid amount awarded to beneficiaries located in Article 87(3)(a) regions limited to EUR 2 million per enterprise and in Article 87(3)(c) regions to EUR1 million per enterprise?

yes no

4.15. Are the annual aid amounts awarded limited to 33 % of the abovementioned maximum amounts?

yes no

⁽¹⁾ GDP per capita in Purchasing Power Standard (PPS).

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

- 4.16. Please provide a description on the mechanisms used or the form in which the aid is awarded to the beneficiary enterprises (e.g. grant, loan, etc.) and explain in detail how aid intensities and maximum aid amounts are calculated, in particular, for non transparent forms of aid:

.....

Cumulation

- 4.17. Can any other form of public support be granted on the basis of the same eligible costs as regards interest on external finance, dividend on own capital employed, fees for renting production facilities/equipment, energy, water, heating costs, or taxes (other than VAT and corporate taxes)?

yes no

If yes, please describe the mechanism put in place in order to ensure that the upper limits for the aid amount per enterprise in total and per year as well as aid intensities are respected:

.....

5. Scope of the scheme or ad hoc aid

- 5.1. Does the aid scheme apply to all sectors?

yes no

Is the aid scheme targeted at a particular sector of activity?

yes no

If yes, please explain

.....

- 5.2. Does the scheme apply to the production of the agricultural products listed in Annex I to the Treaty?

yes no

Does the scheme apply to the processing and marketing of agricultural products, but only to the extent laid down in the Community guidelines for State aid in the agriculture sector⁽¹⁾, or any replacement Guidelines?

yes no

- 5.3. Does the scheme apply to the transport sector?

yes no

If yes,

— Transport Services

- Maritime Transport
 Air Transport
 Road Transport
 Rail Transport
 Urban Transport
 Inland waterway Transport
 Combined transport

⁽¹⁾ OJ C 28, 1.2.2000, p. 2. Corrected by OJ C 232, 12.8.2000, p. 17.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

Management of transport infrastructure

- Port infrastructure
- Airport infrastructure
- Road infrastructure
- Rail infrastructure
- Urban Transport infrastructure
- Inland waterway infrastructure

— Monitoring

Will the annual report trace any individual aid falling under the abovementioned categories with its amount and its beneficiary?

- yes no

5.4. Does the scheme apply to the shipbuilding sector?

- yes no

5.5. Does the scheme respect the specific provisions, such as the prohibition to grant aid to the steel sector ⁽¹⁾ and/or synthetic fibres ⁽²⁾?

- yes no

5.6. Does the scheme provide for respect of individual notification obligation foreseen in section 4.3. of the RAG – Aid for large investment projects ⁽³⁾?

- yes no

6. Cumulation

6.1. Where regional aid under one scheme can be combined with aid under other scheme(s), please specify, in each scheme, the method by which compliance is ensured with the conditions on cumulation listed in section 4.4 of the RAG.

.....

6.2. Is it ensured that regional investment aid shall not be cumulated with *de minimis* support in respect of the same eligible expenses in order to circumvent the maximum aid intensities laid down in the approved regional aid map?

- yes no

6.3. Where aid calculated on the basis of (material or immaterial) investment costs is combined with aid calculated on the basis of wage costs, does the aid scheme respect the intensity ceiling laid down for the region concerned?

- yes no

7. Transparency

7.1. Does the scheme exclude projects for which eligible expenditure was incurred before the date of publication of the final scheme in the Internet (see p. 108 of the RAG)?

- yes no

8. Other information

Please indicate here any other information (e.g. environmental impacts or benefits) you consider relevant to the assessment of the measure(s) concerned under the guidelines on national regional aid.

.....

⁽¹⁾ In the sense of Annex I to the RAG.

⁽²⁾ In the sense of Annex II to the RAG.

⁽³⁾ Please note that you have to fill in a specific notification form (Part III.5) in case of aid to large investment projects.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

PART III.5

SUPPLEMENTARY INFORMATION SHEET ON REGIONAL AID FOR LARGE INVESTMENT PROJECTS

This supplementary information sheet must be used for the notification of any regional investment aid exceeding the threshold for individual notification defined in point 64 of the Guidelines for national regional aid for 2007-2013.

For ad hoc aid (aid granted outside existing schemes) the Member State must also provide the Supplementary Information Sheet on regional aid (Part III.4). In addition, Member States will have to demonstrate that the project contributes towards a coherent regional development strategy and that, having regard to the nature and size of the project, it will not result in unacceptable distortions of competition. Moreover, Member States will have to demonstrate that the aid will not be unduly concentrated on a particular sector of activity and that it creates no adverse sectoral effects.

The Commission reserves the right to ask for further information in order to carry out an in-depth assessment if the thresholds for such an assessment as defined in point 68 of the Regional Aid Guidelines are reached.

Additionally to this supplementary information sheet(s) the Member State must provide:

- Part I. General Information,
- Part II. Summary Information for publication in the Official Journal of the European Union.

The Member State must also provide the relevant investment agreement, the (draft) aid contract and any other relevant document (including, in the case of ad hoc aid, the letter of intent), in order to confirm that the granting of the aid is in conformity with the general rules under the Guidelines for national regional aid for 2007-2013 and with any underlying aid scheme.

If amounts are converted into the euro or other currencies, please provide the implicit exchange rate assumptions. Please always indicate if the amounts mentioned are in nominal amounts or discounted.

1. Additional information on beneficiaries

1.1. Structure of the company or companies investing in the project

1.1.1. Identity of aid recipient(s):

.....

1.1.2. If the legal identity of the aid recipient is different from the undertaking(s) that finance(s) the project or from the actual beneficiary(ies) of the aid, describe also these differences.

.....

1.1.3. Please give a clear description of the relation between the beneficiary, the group of enterprises it belongs to and other associated enterprises, including joint ventures.

.....

1.2. For the company or companies investing in the project, provide the following data for the last three financial years (at group level).

1.2.1. Worldwide turnover, EEA turnover, turnover in the Member State concerned:

.....

1.2.2. Net operating income, return on capital employed and free cash flow:

.....

1.2.3. Employment worldwide, at EEA level and in the Member State concerned:

.....

1.2.4. Audited financial statements and annual report(s) for the last three years:

.....

1.3. If the investment takes place in an existing establishment (plant), provide the following data for the last three financial years of that entity (data for the existing establishment/plant).

1.3.1. Worldwide turnover, EEA turnover, turnover in Member State concerned:

.....

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

1.3.2. Net operating income, return on capital employed and free cash flow:

.....

1.3.3. Employment:

.....

1.3.4. Aid history — Did the beneficiary receive aid for any other investment in the same establishment (plant) in the last three years?

yes no

If yes, please give more details:

.....

1.4. *Firms in difficulty*

Does the aid benefit a firm in difficulty ⁽¹⁾ or will it be used for the financial restructuring of a firm in difficulty?

yes no

If yes, please note that the Community guidelines on State aid for rescuing and restructuring firms in difficulty are applicable.

2. **Aid**

2.1. *Form of aid*

Please give a detailed description of each form of aid:

.....

2.2. *Amount of aid*

For each form of aid, provide the following information:

2.2.1. Amount of support, both in nominal and discounted terms:

.....

2.2.2. A complete schedule of the payment of the proposed assistance:

.....

In case of aid awarded in the form of exemptions on future taxes, please indicate how the discounted aid amount will be capped:

.....

2.2.3. The applicable existing aid scheme(s), including title, State aid number and reference to Commission approval, submission under interim procedure, or supplementary information sheet pursuant to an exemption regulation:

.....

2.2.4. The application for aid was submitted before work was started on the project and the competent authorities have confirmed in writing that, subject to the final outcome of a detailed verification, the project meets the conditions of eligibility laid down by the scheme.

yes no

If no, please explain.

.....

2.3. *Characteristics*

2.3.1. Are any of the assistance measures of the overall package not yet defined?

yes no

If yes, please specify, and explain how the total discounted aid amount will be capped:

.....

⁽¹⁾ As defined in the Community guidelines on State aid for Rescuing and Restructuring firms in difficulty (OJ C 244, 1.10.2004, p. 2).

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

2.3.2. Indicate which of the abovementioned measures does not constitute State aid and for what reason(s):

.....

2.3.3. How is it ensured that the aid is made conditional on the maintenance of the investment or the jobs created for a minimum period of five years in case of large companies and three years in case of SMEs?

.....

2.4. *Financing from Community and other sources*

2.4.1. Are some of the abovementioned measures to be co-financed by Community funds (European Investment Bank, European Social Fund, European Regional Development Fund, other)? Please explain.

.....

2.4.2. Is some additional support for the same project to be requested from any other European or international financing institutions?

yes no

If so, for what amounts?

.....

2.5. *Reporting*

Please confirm that the following documents will be provided to the Commission:

within two months of granting the aid, a copy of the aid contract between the granting authority and the beneficiary;

on a five-yearly basis, starting from the approval of the aid by the Commission, an intermediary report (including information on the aid amounts being paid, on the execution of the aid contract and on any other investment projects started at the same establishment/plant);

within six months after payment of the last tranche of the aid, based on the notified payment schedule, a detailed final report.

3. **Assisted project**

3.1. *Timeline*

Specify the planned start date of the investment, the planned date of completion of the investment and the planned year by which full production will be reached, if necessary for each product envisaged by the investment project.

.....

3.2. *Description of the project*

3.2.1. Specify the type of the project and whether it is a new establishment; the extension of an existing establishment; diversification of the output of an establishment into new, additional products; a fundamental change in the overall production process of an existing establishment; or the acquisition of capital assets directly linked to an establishment by an independent investor which has closed or which would have closed had it not been purchased:

.....

3.2.2. Provide a short description of the project:

.....

3.3. *Breakdown of the project costs*

3.3.1. Specify the total cost of the investment over the lifetime of the project:

.....

3.3.2. Provide a detailed breakdown per year and per category (land, buildings, plant/machinery, or other) of the eligible costs associated with the investment project, where relevant for each product envisaged by the investment project:

.....

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

3.4. Financing of total project costs

Please provide a complete description of the financing of the project and how it ensures that at least 25 % of the eligible costs are financed in a way which is free of public support, including *de minimis* aid.

.....

4. Product and market characteristics

In this section, if applicable, please take account of any relevant marketing or similar arrangements with other companies for the calculation of the capacity and the market share (e.g. exclusive licenses for sales).

4.1. Characterisation of product(s) envisaged by the project

4.1.1. Specify all the product(s) that will be produced in the aided facility upon the completion of the investment and indicate, where appropriate, the Prodcom code or CPA nomenclature for projects in the service sectors.

.....

4.1.2. Will the products envisaged by the project replace any other products produced by the beneficiary (at group level)? What product(s) will it replace? If these replaced products are not produced at the location of the project, indicate where they are currently produced. Please provide a description of the link between the replaced production and the current investment and give a time schedule for the replacement.

.....

4.1.3. What other product(s) can be produced with the same new facilities (through flexibility of the production installations of the beneficiary) at little or no additional cost?

.....

4.2. Product concerned and relevant product market

4.2.1. Explain if the project concerns an intermediate product and if a significant part of the output is not sold on the market (under market conditions). Based on the above explanation, for the purpose of calculating the market share and capacity increase in the remainder of this section. Please indicate if the product concerned is the product envisaged by the project or if it is the downstream product.

.....

4.2.2. Please indicate the demand side substitutes and the supply side substitutes of the product concerned. The relevant product market includes the product concerned and its substitutes considered to be such either by the consumer (by reason of the product's characteristics, prices and intended use) or by the producer (through flexibility of the production installations of the beneficiary and its competitors).

.....

4.3. Market share data

Please answer the following questions for all products concerned.

4.3.1. For the purpose of applying point 68(a) of the RAG, the Commission will normally assume that the relevant geographic market is the European Economic Area (EEA). Please provide arguments if another geographic market for the product(s) is considered relevant.

.....

4.3.2. Please provide an estimate of all sales of the aid recipient on the relevant market (at group level, in value and volume terms), from the year preceding the start year of the investment to the year following full production of the product envisaged by the project. If applicable, provide a breakdown of these sales into product concerned and other categories of products sold by the aid beneficiary on the relevant market.

.....

4.3.3. Please provide an estimate of the overall sales of all producers on the relevant market (in value and volume terms), from the year preceding the start year of the investment to the year following full production of the product envisaged by the project. If available, include statistics prepared by public and/or independent sources.

.....

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

4.3.4. Please explain the methodology underlying the estimates and the implicit price assumptions.

.....

4.4. Market evolution

Please answer the following questions for all products concerned.

4.4.1. Provide for each of the last six years data on apparent consumption ⁽¹⁾ (in value and volume terms) in the relevant product market in the EEA. Please also provide implicit price assumptions. If available, include statistics prepared by the public and/or independent sources.

.....

4.4.2. Please calculate from the above figures the Compound Annual Growth Rate (CAGR) ⁽²⁾ of apparent consumption in the relevant product market in the EEA.

.....

4.4.3. Please calculate the average annual growth rate of the EEA's GDP over the last five years as a Compound Annual Growth Rate (CAGR) using Eurostat figures ⁽³⁾ (www.eu.int/comm/eurostat/ — currently the figures can be found under "Themes/Economy and finance/National accounts/Annual national accounts/GDP and main aggregates").

.....

4.4.4. Is the average annual growth rate of the apparent consumption on the relevant product market in the EEA over the last five years below the average annual growth rate of the EEA GDP over the last five years?

yes no

4.5. Capacity considerations

Please answer the following questions for all products concerned.

If from point 4.4 on market evolution follows that the average annual growth rate of the apparent consumption on the relevant market is below the average annual growth rate of the EEA GDP, provide the following information:

4.5.1. Provide an estimate of the production capacity created by the investment (in volume and value terms).

.....

4.5.2. Provide an estimate of any changes in the total capacity of the beneficiary (at group level) in the EEA between the year preceding the start year of the project and the year following completion of the project (in volume and in value terms). Please also provide implicit price assumptions. If available, include statistics prepared by public and/or independent sources.

.....

4.5.3. Provide an estimate of the total apparent consumption on the relevant product market(s) in the EEA for the year preceding the start year and for the year following the completion of the project (in volume and in value terms). Please also provide implicit price assumptions. If available, include statistics prepared by public and/or independent sources.

.....

5. Other information

Please indicate here any other information (e.g. environmental impacts or benefits) you consider relevant to the assessment of the measure(s) concerned.

.....

⁽¹⁾ Apparent consumption is production plus imports minus exports. If no apparent consumption data are readily available, other relevant data can be used.

⁽²⁾ The CAGR is calculated as $[y(t) / y(t - 5)]^{1/5} - 1$.

⁽³⁾ EU25 can be used as a proxy for the EEA in this context.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

PART III.6.A

**SUPPLEMENTARY INFORMATION SHEET FOR RESEARCH
AND DEVELOPMENT AID: AID SCHEMES**

This supplementary information sheet must be used for the notification of any aid scheme covered by the Community framework for state aid for research and development. (1) It must also be used for aid schemes for Research and Development aid to SMEs which do not fall under the Block Exemption Regulation for SMEs (2) as well as for aid intended for the production, processing and marketing of agricultural products.

1. **Research stage**

Research and development stages qualifying for aid

1.1. Feasibility studies:

yes no

If yes, to which stage of research does the study refer?

- fundamental research
 industrial research
 precompetitive development

If yes, give examples of major projects:

.....

1.2. Fundamental research:

yes no

If yes, give examples of major projects:

.....

1.3. Industrial research:

yes no

If yes, give examples of major projects:

.....

1.4. Precompetitive development:

yes no

If yes, give examples of major projects:

.....

1.5. Patent applications and renewals by SMEs:

yes no

If yes, which stage of research is concerned?:

- fundamental research
 industrial research
 precompetitive development

(1) Community framework for state aid for research and development (OJ C 45, 17.2.1996, p. 5) and subsequent amendments (OJ C 48, 13.2.1998, p. 2) and the Commission communication on the prolongation of the framework (OJ C 111, 8.5.2002, p. 3).

(2) Regulation 70/2001 as amended, OJ L 63, 28.2.2004, p.22.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

2. Additional information on the recipient of the aid

2.1. Higher-education or research establishments

yes no

If yes, give an estimate of the number of establishments involved:

.....

If yes, state whether other firms receive aid:

yes no

Are these higher-education or research establishments in the public sector?

yes no

2.2. Other (please specify).....

3. Cooperative Research

To enable the Commission to check whether contributions from public research establishments to an R&D project constitute aid, please answer the following questions: ⁽¹⁾

3.1. Do the projects provide that public, non-profit-making research or higher-education establishments carry out research on behalf of or in collaboration with industry?

yes no

If yes, please clarify:

— Do the public, non-profit-making research or higher-education establishments receive payment at the market rate for the services they provide?

yes no

or

— Do the industrial participants bear the full cost of the project?

yes no

or

— Where results which do not give rise to intellectual property rights may be widely disseminated, are any intellectual property rights fully allocated to the public, non-profit-making establishments?

yes no

or

— Do the public, non-profit-making establishments receive from the industrial participants (holders of intellectual property rights resulting from the research project) compensation equivalent to the market price for those rights and for the results that do not give rise to intellectual property rights but may be widely disseminated to interested third parties?

yes no

3.2. Are the projects carried out in collaboration with several firms?

yes no

⁽¹⁾ See paragraph 5.8 of the Community framework for state aid for research and development (OJ C 45, 17.2.1996, p. 5).

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

If yes, what are the conditions governing such collaboration?

4. Research acquired by the state

4.1. Do projects stipulate that the public authorities may commission R&D from firms?

yes no

If yes, is there an open tender procedure?

yes no

4.2. Do projects stipulate that the public authorities may buy the results of R&D from firms?

yes no

If yes, is there an open tender procedure?

yes no

5. Type of aid

Aid linked to an R&D contract signed with industrial firms (please specify):

Advance repayable if the project is successful (please specify the amount and procedures for repayment; in particular, give the criteria for measuring "success"):

Other (please specify):

6. Eligible expenditure

Costs of personnel employed solely on the research activity:

Costs of durable assets used solely and on a continual basis for the research activity (equipment and instruments):

Costs of land and premises used solely and on a continual basis (except where transferred commercially) for the research activity:

Costs of consultancy and equivalent services used exclusively for the research activity, including the research, technical knowledge and patents, etc. bought from outside sources:

Additional overheads incurred directly as a result of the research activity:

If appropriate, give a breakdown of research costs by aided and non-aided R&D:

Give a breakdown of the budget between firms, research centres and universities:

Other operating expenses (costs of materials, supplies and similar products incurred directly as a result of the research activity)

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

7. **Aid intensity**

- 7.1. Gross aid intensity:
 Definition stage or feasibility studies :
 Fundamental research :
 Industrial research :
 Precompetitive development :

- 7.2. For aid in support of patent applications and renewals by SMEs, specify the research activities which first led to the patents concerned:

Planned intensity:

- 7.3. Does the same R&D activity cover several stages of research?

yes no

If yes, which?

Specify the aid intensity applied:

- 7.4. Bonuses applicable, if any:

- 7.4.1. For aid granted to SMEs, give the bonus applicable, if any:

- 7.4.2. Are the research activities in accordance with a specific project or programme undertaken as part of the Community's current framework programme for research and technological development (R&TD)?

yes no

If yes, what is the bonus applicable?

Please give also the exact title of the specific project or programme undertaken as part of the Community's current framework programme for R&TD, if possible using the 'call identifier' or the CORDIS website: www.cordis.lu.

Does the project in accordance with a specific project or programme undertaken as part of the Community's current framework programme for R&TD involve cross-border cooperation between firms and public research bodies or between at least two independent partners in two Member States, where its results are widely disseminated and published?

yes no

If yes, what is the bonus applicable?

yes no

- 7.4.3. Are the aided R&D activities located in a region eligible under Article 87(3)(a) or (c) of the EC Treaty at the time the aid is granted?

yes no

Give the bonus applicable:

- 7.4.4. If the research activities are not in accordance with a specific project or programme undertaken as part of the Community's current framework programme for R&TD, clarify whether at least one of the following conditions is met:

— the project involves effective cross-border cooperation between at least two independent partners in two Member States, particularly in the context of coordinating national R&TD policies

yes no

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

— the project involves effective cooperation between firms and public research bodies, particularly in the context of coordination of national R&TD policies

yes no

— the project's results are widely disseminated and published, patent licences are granted or other appropriate steps are taken under conditions similar to those for the dissemination of Community R&TD results

yes no

Where at least one of the above conditions is met, give any bonus applicable:

.....

7.5. Where there is a combination of bonuses and aid intensities, give the maximum aid intensity applicable for each stage of research:

8. Incentive effect of the aid

8.1. Provide information that will enable us to assess the incentive effect of the aid for large firms

.....

8.2. Does the scheme stipulate that the annual report on implementation should, in the case of large firms, contain a description of the incentive effect for each individual application of the scheme?

yes no

9. Multinational aspects

9.1. Do the projects (scheme/programme) have any multinational aspects (e.g. Esprit or Eureka projects)?

yes no

If yes, specify:

9.2. Do the R&D projects involve cooperation with partners in other countries?

If so, state:

(a) which other Member State(s)

(b) which other third country or countries

(c) which firm(s) in other countries

9.3. Give a breakdown of the total cost by partner:

.....
.....
.....

10. Access to results

10.1. Who will own the R&D results in question?

10.2. Are any conditions attached to the granting of licences in respect of the results?

.....

10.3. Are there any rules governing the general publication/dissemination of the R&D results?

yes no

10.4. Indicate the measures planned for the subsequent use/development of the results:

.....

10.5. Is there provision for the results of publicly financed R&D projects to be made available to Community industry on a non-discriminatory basis?

yes no

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

11. Information and control measures

11.1. Give the information/control measures used to ensure that the aided projects are in line with the objectives laid down by the relevant legislation:

.....

11.2. Specify the arrangements for informing the Commission about implementation of the scheme:

.....

11.3. Other useful information, including an estimate of the number of jobs created or safeguarded:

.....

12. Provisions applicable to the agricultural sector

12.1. Can you confirm that the following four conditions are met in all cases?

- The aid is of general interest to the sector (or subsector) concerned, without causing undue distortion of competition in other sectors (or subsectors).
- Information must be published in suitable newspapers, scientific periodicals with at least national circulation or on the Internet and not limited to the members of individual organisations, so as to guarantee that any operator potentially interested in the research activity can easily find out that it is planned or has started and that the results are being or will be provided, on request, to any interested party. This information should be published on a date not later than any information given directly to members of individual organisations.
- The results of this research activity will be provided for exploitation to all parties involved, including the beneficiary of the aid, on an equal basis in terms of both cost and timing.
- The aid satisfies the conditions in Annex II – internal support, i.e. the basis for exemption from the state aid reduction commitments in the Agreement on Agriculture concluded at the end of the Uruguay Round of Multilateral Trade Negotiations. ⁽¹⁾

yes no

If all the above conditions combined are not met, the general rules (questions 1-11) will apply.

12.2. What is the planned aid intensity?:

.....

13. Other information

Please give any other information you consider necessary to assess the measure(s) in question under the Community framework for state aid for research and development.

⁽¹⁾ Agreement on Agriculture concluded at the end of the Uruguay Round of Multilateral Trade Negotiations (OJ L 336, 23.12.1994, p. 31).

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

PART III.6.B

**SUPPLEMENTARY INFORMATION SHEET FOR RESEARCH
AND DEVELOPMENT AID: INDIVIDUAL AID**

This supplementary information sheet must be used for the notification of any aid scheme covered by the Community framework for state aid for research and development. (1) It must also be used for aid schemes for Research and Development aid to SMEs which do not fall under the Block Exemption Regulation for SMEs (2) as well as for aid intended for the production, processing and marketing of agricultural products.

1. **Research stage**

Research and development stages qualifying for aid

1.1. Feasibility studies:

yes no

If yes, to which stage of research does the study refer?

- fundamental research
 industrial research
 precompetitive development

If yes, give examples of major projects:

.....

1.2. Fundamental research:

yes no

If yes, give examples of major projects:

.....

1.3. Industrial research:

yes no

If yes, give examples of major projects:

.....

1.4. Precompetitive development:

yes no

If yes, give examples of major projects:

.....

1.5. Patent applications and renewals by SMEs:

yes no

If yes, which stage of research is concerned?:

- fundamental research
 industrial research
 precompetitive development

(1) Community framework for state aid for research and development (OJ C 45, 17.2.1996, p. 5) and subsequent amendments (OJ C 48, 13.2.1998, p. 2) and the Commission communication on the prolongation of the framework (OJ C 111, 8.5.2002, p. 3).

(2) Regulation 70/2001 as amended, OJ L 63, 28.2.2004, p.20.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

2. Additional information on the recipient of the aid

2.1. Higher-education or research establishments

yes no

If yes, give an estimate of the number of establishments involved:

.....

If yes, state whether other firms receive aid:

yes no

Are these higher-education or research establishments in the public sector?

yes no

2.2. Other (please specify).....

3. Cooperative Research

To enable the Commission to check whether contributions from public research establishments to an R&D project constitute aid, please answer the following questions: ⁽¹⁾

3.1. Do the projects provide that public, non-profit-making research or higher-education establishments carry out research on behalf of or in collaboration with industry?

yes no

If yes, please clarify:

— Do the public, non-profit-making research or higher-education establishments receive payment at the market rate for the services they provide?

yes no

or

— Do the industrial participants bear the full cost of the project?

yes no

or

— Where results which do not give rise to intellectual property rights may be widely disseminated, are any intellectual property rights fully allocated to the public, non-profit-making establishments?

yes no

or

— Do the public, non-profit-making establishments receive from the industrial participants (holders of intellectual property rights resulting from the research project) compensation equivalent to the market price for those rights and for the results that do not give rise to intellectual property rights but may be widely disseminated to interested third parties?

yes no

3.2. Are the projects carried out in collaboration with several firms?

yes no

⁽¹⁾ See paragraph 5.8 of the Community framework for state aid for research and development (OJ C 45, 17.2.1996, p. 5).

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

If yes, what are the conditions governing such collaboration?
.....

4. Research acquired by the state

4.1. Do projects stipulate that the public authorities may commission R&D from firms?

yes no

If yes, is there an open tender procedure?

yes no

4.2. Do projects stipulate that the public authorities may buy the results of R&D from firms?

yes no

If yes, is there an open tender procedure?

yes no

5. Type of aid

Aid linked to an R&D contract signed with industrial firms (please specify):
.....

Advance repayable if the project is successful (please specify the amount and procedures for repayment; in particular, give the criteria for measuring "success"):
.....

Other (please specify):
.....

6. Eligible expenditure

Costs of personnel employed solely on the research activity:
.....

Costs of durable assets used solely and on a continual basis for the research activity (equipment and instruments):

Costs of land and premises used solely and on a continual basis (except where transferred commercially) for the research activity:

Costs of consultancy and equivalent services used exclusively for the research activity, including the research, technical knowledge and patents, etc. bought from outside sources:
.....

Additional overheads incurred directly as a result of the research activity:
.....
.....

If appropriate, give a breakdown of research costs by aided and non-aided R&D:
.....

Give a breakdown of the budget between firms, research centres and universities:
.....

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

7. **Aid intensity**

- 7.1. Gross aid intensity:
 Definition stage or feasibility studies :
 Fundamental research :
 Industrial research :
 Precompetitive development :

- 7.2. For aid in support of patent applications and renewals by SMEs, specify the research activities which first led to the patents concerned:

Planned intensity:

- 7.3. Does the same R&D activity cover several stages of research?

yes no

If yes, which?

Specify the aid intensity applied:

- 7.4. Bonuses applicable, if any:

- 7.4.1. For aid granted to SMEs, give the bonus applicable, if any:

- 7.4.2. Are the research activities in accordance with a specific project or programme undertaken as part of the Community's current framework programme for research and technological development (R&TD)?

yes no

If yes, what is the bonus applicable?

Please give also the exact title of the specific project or programme undertaken as part of the Community's current framework programme for R&TD, if possible using the 'call identifier' or the CORDIS website: www.cordis.lu.

Does the project in accordance with a specific project or programme undertaken as part of the Community's current framework programme for R&TD involve cross-border cooperation between firms and public research bodies or between at least two independent partners in two Member States, where its results are widely disseminated and published?

yes no

If yes, what is the bonus applicable?

- 7.4.3. Are the aided R&D activities located in a region eligible under Article 87(3)(a) or (c) of the EC Treaty at the time the aid is granted?

87(3)(a) 87(3)(c)

Give the bonus applicable:

- 7.4.4. If the research activities are not in accordance with a specific project or programme undertaken as part of the Community's current framework programme for R&TD, clarify whether at least one of the following conditions is met:

— the project involves effective cross-border cooperation between at least two independent partners in two Member States, particularly in the context of coordinating national R&TD policies

yes no

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

— the project involves effective cooperation between firms and public research bodies, particularly in the context of coordination of national R&TD policies

yes no

— the project's results are widely disseminated and published, patent licences are granted or other appropriate steps are taken under conditions similar to those for the dissemination of Community R&TD results

yes no

Where at least one of the above conditions is met, give any bonus applicable:

.....

Where there is a combination of bonuses and aid intensities, give the maximum aid intensity applicable for each stage of research:

.....

8. Incentive effect of the aid

8.1. How has expenditure on research and development increased or decreased ?

.....

8.2. Is the aid used for R&D activities over and above the recipient's traditional activities ?

yes no

8.3. Is R&D-linked scientific and/or technological activity being created?

yes no

8.4. How has the number of people engaged in R&D activities evolved?

.....

8.5. Has there been job creation linked to R&D activities?

yes no

If yes, give the estimated number of jobs created:

8.6. Have jobs been safeguarded as a result of R&D activities?

yes no

8.7. What is the firm's turnover?

8.8. Are there additional costs linked to cross-border cooperation?

yes no

8.9. Indicate the measures planned for exploiting in part or in full the results of the research

.....

8.10. Are measures planned to enable SMEs to participate?

yes no

If yes, indicate what they are:

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

8.11. Other incentive factors, such as commercial and technological risk:

.....

8.12. In the case of individual, close-to-the-market research projects to be undertaken by large firms, what factors have been taken into account to ensure that the aid has an incentive effect on R&D?

.....

8.13. Demonstrate that the application for aid was made before the R&D activities started:

.....

.....

9. **Multinational aspects**

9.1. Do the projects (scheme/programme) have any multinational aspects (e.g. Esprit or Eureka projects)?

yes no

If yes, specify:

9.2. Do the R&D projects involve cooperation with partners in other countries?

If so, state:

- (a) which other Member State(s)
- (b) which other third country or countries
- (c) which firm(s) in other countries

9.3. Give a breakdown of the total cost by partner:

.....

.....

.....

10. **Access to results**

10.1. Who will own the R&D results in question?

10.2. Are any conditions attached to the granting of licences in respect of the results?

.....

10.3. Are there any rules governing the general publication/dissemination of the R&D results?

yes no

10.4. Indicate the measures planned for the subsequent use/development of the results:

.....

10.5. Is there provision for the results of publicly financed R&D projects to be made available to Community industry on a non-discriminatory basis?

yes no

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

11. Information and control measures

11.1. Give the information/control measures used to ensure that the aided projects are in line with the objectives laid down by the relevant legislation:

11.2. Specify the arrangements for informing the Commission about implementation of the scheme:

11.3. Other useful information, including an estimate of the number of jobs created or safeguarded:

12. Provisions applicable to the agricultural sector

12.1. Can you confirm that the following four conditions are met in all cases?

- Four checkbox conditions regarding aid conditions: general interest, publication, results provision, and Annex II exemption.

checkbox yes checkbox no

If all the above conditions combined are not met, the general rules (questions 1-11) will apply.

12.2. What is the planned aid intensity?:

13. Other information

Please give any other information you consider necessary to assess the measure(s) in question under the Community framework for state aid for research and development.

PART III.7.A

SUPPLEMENTARY INFORMATION SHEET ON AID FOR RESCUING FIRMS IN DIFFICULTY: AID SCHEMES

This supplementary information sheet must be used for the notification of rescue aid schemes covered by the Community guidelines on State aid for rescuing and restructuring firms in difficulty (2).

1. Eligibility

1.1. Is the scheme limited to firms that fulfil at least one of the eligibility criteria below:

1.1.1. Is the scheme limited to firms, where more than half their registered capital has disappeared and more than one quarter of that capital has been lost over the preceding 12 months?

checkbox yes checkbox no

(1) Agreement on Agriculture concluded at the end of the Uruguay Round of Multilateral Trade Negotiations (OJ L 336, 23.12.1994, p. 31). (2) Community guidelines on State aid for rescuing and restructuring firms in difficulty, OJ C 288, 9.10.1999, p. 2.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

1.1.2. Are the firms unlimited companies, where more than half of their capital as shown in the company accounts has disappeared and more than one quarter of that capital has been lost over the preceding 12 months?

yes no

1.1.3. Do the firms fulfil the criteria under domestic law for being the subject of collective insolvency proceedings?

yes no

1.2. Is the scheme limited to rescuing small or medium-sized enterprises in difficulty which correspond to the Community definition of SMEs?

yes no

2. Form of aid

2.1. Is the aid granted under the scheme in the form of a loan guarantee or loans?

yes no

2.2. If yes, will the loan be granted at an interest rate at least comparable to those observed for loans to healthy firms, and in particular the reference rate adopted by the Commission?

yes no

Please provide detailed information.

2.3. Will the aid under the scheme be linked to loans that are to be reimbursed over a period of not more than 12 months after disbursement of the last instalment to the firm?

yes no

3. Other elements

3.1. Will aid under the scheme be warranted on the grounds of serious social difficulties? Please justify.

3.2. Will aid under the scheme have no undue adverse spillover effects on other Member States? Please justify.

3.3. Please explain why you think that the aid scheme is limited to the minimum necessary (i.e. is restricted to the amount needed to keep the firm in business for the period during which the aid is authorised. This should not go beyond a period of 6 months).

3.4. Do you undertake, within six months after granting the aid, to either approve a restructuring plan or a liquidation plan, or demand reimbursement of the loan and the aid corresponding to the risk premium from the beneficiary?

yes no

Please specify the maximum amount of the aid that can be awarded to any one firm as part of the rescue operation:
.....

3.5. Provide all relevant information on aid of any kind which may be granted to the firms eligible for receiving rescue aid during the same period of time.

4. Annual report

4.1. Do you undertake to provide reports, at least on an annual basis, on the scheme's operation, containing the information specified in the Commission's instructions on standardised reports?

yes no

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

- 4.2. Do you undertake in such a report to include a list of beneficiary firms with at least the following information:
- (a) the company name;
 - (b) its sectoral code, using the NACE ⁽¹⁾ two-digit sectoral classification codes;
 - (c) the number of employees;
 - (d) annual turnover and balance sheet value;
 - (e) the amount of aid granted;
 - (f) where appropriate, any restructuring aid, or other support treated as such, which it has received in the past;
 - (g) whether or not the beneficiary company has been wound up or subject to collective insolvency proceedings before the end of the restructuring period.
- yes no

5. **Other Information**

Please indicate here any other information you consider relevant to the assessment of the measure(s) concerned under the guidelines on aid for rescuing and restructuring firms in difficulty.

PART III.7.B

**SUPPLEMENTARY INFORMATION SHEET ON AID FOR RESCUING FIRMS IN DIFFICULTY:
INDIVIDUAL AID**

This supplementary information sheet must be used for the notification of individual rescue aid covered by the Community guidelines on State aid for rescuing and restructuring firms in difficulty ⁽²⁾.

1. **Eligibility**

- 1.1. Is the firm a limited company, where more than half of its registered capital has disappeared and more than one quarter of that capital has been lost over the preceding 12 months?
- yes no
- 1.2. Is the firm an unlimited company, where more than half of its capital as shown in the company accounts has disappeared and more than one quarter of that capital has been lost over the preceding months?
- yes no
- 1.3. Does the firm fulfil the criteria under domestic law for being the subject of collective insolvency proceedings?
- yes no

If you have answered yes to any of the above questions, please attach the relevant documents (latest profit and loss account with balance sheet, or court decision opening an investigation into the company under national company law)

If you have answered no to all of the above questions, please submit evidence supporting that the firm is in difficulties, for it to be eligible for rescue aid.

1.4. When has the firm been created?

1.5. Since when is the firm operating?

⁽¹⁾ Statistical classification of economic activities in the European Community, published by the Statistical Office of the European Communities.

⁽²⁾ *Community guidelines on State aid for rescuing and restructuring firms in difficulty*, OJ C 288, 9.10.1999, p. 2.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

1.6. Does the company belong to a larger business group?

yes no

If you have answered yes, please submit full details about the group (organisation chart, showing the links between the group's members with details on capital and voting rights) and attach proof that the company's difficulties are its own and are not the result of an arbitrary allocation of costs within the group and that the difficulties are too serious to be dealt with by the group itself.

1.7. Has the firm (or the group to which it belongs) in the past received any rescue aid?

yes no

If yes, please provide full details (date, amount, reference to previous Commission decision if applicable, etc.)

2. Form of aid

2.1. Is the aid in the form of a loan guarantee or loans? Copies of the relevant documents should be provided.

yes no

2.2. If yes, is the loan granted at an interest rate at least comparable to those observed for loans to healthy firms, and in particular the reference rate adopted by the Commission?

yes no

Please provide detailed information.

2.3. Is the aid linked to loans that are to be reimbursed over a period of not more than 12 months after disbursement of the last instalment to the firm?

yes no

3. Other elements

3.1. Is the aid warranted on the grounds of serious social difficulties? Please justify.

3.2. Does the aid have no undue adverse spillover effects on other Member States? Please justify.

3.3. Please explain why you think that the aid is limited to the minimum necessary (i.e. is restricted to the amount needed to keep the firm in business for the period during which the aid is authorised). This should be done on the basis of a liquidity plan for the 6 months ahead and on the basis of a comparison with operating costs and financial charges over the previous 12 months.

3.4. Do you undertake, not later than six months after the rescue aid measure has been authorised, to communicate to the Commission a restructuring plan or a liquidation plan or proof that the loan has been reimbursed in full and/or that the guarantee has been terminated?

yes no

4. Other Information

Please indicate here any other information you consider relevant to the assessment of the measure(s) concerned under the guidelines on aid for rescuing and restructuring firms in difficulty.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

PART III.8.A

SUPPLEMENTARY INFORMATION SHEET ON AID FOR RESTRUCTURING FIRMS IN DIFFICULTY: AID SCHEMES

This supplementary information sheet must be used for the notification of restructuring aid schemes covered by the Community Guidelines on State aid for rescuing and restructuring firms in difficulty ⁽¹⁾.

1. Eligibility

1.1. Is the scheme limited to firms that fulfil at least one of the eligibility criteria below:

1.1.1. Is the scheme limited to firms, where more than half their registered capital has disappeared and more than one quarter of that capital has been lost over the preceding 12 months?

yes no

1.1.2. Are the firms unlimited companies, where more than half of their capital as shown in the company accounts has disappeared and more than one quarter of that capital has been lost over the preceding months?

yes no

1.1.3. Do the firms fulfil the criteria under domestic law for being the subject of collective insolvency proceedings?

yes no

1.2. Is the scheme limited to restructuring small or medium-sized enterprises in difficulty which correspond to the Community definition of SMEs?

yes no

2. Return to viability

A restructuring plan must be implemented which must assure restoration of viability. At least the following information should be included:

2.1. Presentation of the different market assumptions arising from the market survey.

2.2. Analysis of the reason(s) why the firm has run into difficulty.

2.3. Presentation of the proposed future strategy for the firm and how this will lead to viability.

2.4. Complete description and overview of the different restructuring measures planned and their cost.

2.5. Timetable for implementing the different measures and the final deadline for implementing the restructuring plan in its entirety.

2.6. Information on the production capacity of the company, and in particular on utilisation of this capacity, capacity reductions.

2.7. Full description of the financial arrangements for the restructuring, including:

- Use of capital still available;
- Sale of assets or subsidiaries to help finance the restructuring;
- Financial commitment by the different shareholders and third parties (like creditors, banks);
- Amount of public assistance and demonstration of the need for that amount;

⁽¹⁾ Community Guidelines on State aid for rescuing and restructuring firms in difficulty, OJ C 288, 9.10.1999, p. 2.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

2.8. Projected profit and loss accounts for the next five years with estimated return on capital and sensitivity study based on several scenarios;

2.9. Name(s) of the author(s) of the restructuring plan and date on which it was drawn up.

3. **Avoidance of undue distortion of competition**

Does the scheme provide that recipient firms must not increase their capacity during the restructuring plan?

yes no

4. **Aid limited to the minimum necessary**

Describe how it will be assured that the aid granted under the scheme is limited to the minimum necessary.

5. **One time, Last time**

Is it excluded that recipient firms receive restructuring aid more than once over a period of ten years?

yes no

All cases where this principle is not respected must be notified individually

6. **Amount of aid**

6.1. Please specify the maximum amount of the aid that can be awarded to any one firm as part of the restructuring operation:

6.2. Provide all relevant information on aid of any kind which may be granted to the firms eligible for receiving restructuring aid.

7. **Annual report**

7.1. Do you undertake to provide reports, at least on an annual basis, on the scheme's operation, containing the information specified in the Commission's instructions on standardised reports?

yes no

7.2. Do you undertake in such report to include a list of beneficiary firms with at least the following information:

- (a) the company name;
- (b) its sectoral code, using the NACE ⁽¹⁾ two-digit sectoral classification codes;
- (c) the number of employees;
- (d) annual turnover and balance sheet value;
- (e) the amount of aid granted;
- (f) where appropriate, any restructuring aid, or other support treated as such, which it has received in the past;
- (g) whether or not the beneficiary company has been wound up or subject to collective insolvency proceedings before the end of the restructuring period.

yes no

⁽¹⁾ Statistical classification of economic activities in the European Community, published by the Statistical Office of the European Communities.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

8. Other Information

Please indicate here any other information you consider relevant to the assessment of the measure(s) concerned under the guidelines on aid for rescuing and restructuring firms in difficulty.

PART III.8.B

SUPPLEMENTARY INFORMATION SHEET ON AID FOR RESTRUCTURING FIRMS IN DIFFICULTY: INDIVIDUAL AID

This supplementary information sheet must be used for the notification of individual restructuring aid covered by the Community Guidelines on State aid for rescuing and restructuring firms in difficulty (1).

1. Eligibility

1.1. Is the firm a limited company, where more than half of its registered capital has disappeared and more than one quarter of that capital has been lost over the preceding 12 months?

yes no

1.2. Is the firm an unlimited company, where more than half of its capital as shown in the company accounts has disappeared and more than one quarter of that capital has been lost over the preceding 12 months?

yes no

1.3. Does the firm fulfil the criteria under domestic law for being the subject of collective insolvency proceedings?

yes no

If you have answered yes on any of the above questions, please attach the relevant documents (latest profit and loss account with balance sheet, or court decision opening an investigation into the company under national company law)

If you have answered no to all of the above questions, please submit evidence supporting that the firm is in difficulties, for it to be eligible for restructuring aid.

1.4. When has the firm been created?.....

1.5. Since when is the firm operating?

1.6. Does the company belong to a larger business group?

yes no

If you have answered yes, please submit full details about the group (organisation chart, showing the links between the group's members with details on capital and voting rights) and attach proof that the company's difficulties are its own and are not the result of an arbitrary allocation of costs within the group and that the difficulties are too serious to be dealt with by the group itself.

1.7. Has the firm (or the group to which it belongs) in the past received any restructuring aid?

yes no

If yes, please provide full details (date, amount, reference to previous Commission decision if applicable, etc.)

(1) Community Guidelines on State aid for rescuing and restructuring firms in difficulty, JO C 288, 9.10.1999, p. 2. Please note that a specific form shall be used in case of aid for restructuring firms in the aviation sector (Part III.13.a) as well as in the agricultural sector (Part III. 12.p).

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

2. Restructuring plan

2.1. Please supply a copy of the survey of the market(s) served by the firm in difficulty, with the name of the organisation which carried it out. The market survey must give in particular:

2.1.1. A precise definition of the product and geographical market(s).

2.1.2. The names of the company's main competitors with their shares of the world, Community or domestic market, as appropriate.

2.1.3. The evolution of the company's market share in recent years.

2.1.4. An assessment of total production capacity and demand at Community level, concluding whether or not there is excess capacity on the market.

2.1.5. Community-wide forecasts for trends in demand, aggregate capacity and prices on the market over the five years ahead.

2.2. Please attach the restructuring plan. At least the following information should be included:

2.2.1. Presentation of the different market assumptions arising from the market survey.

2.2.2. Analysis of the reason(s) why the firm has run into difficulty.

2.2.3. Presentation of the proposed future strategy for the firm and how this will lead to viability.

2.2.4. Complete description and overview of the different restructuring measures planned and their cost.

2.2.5. Timetable for implementing the different measures and the final deadline for implementing the restructuring plan in its entirety.

2.2.6. Information on the production capacity of the company, and in particular on utilisation of this capacity, capacity reductions.

2.2.7. Full description of the financial arrangements for the restructuring, including:

— Use of capital still available;

— Sale of assets or subsidiaries to help finance the restructuring;

— Financial commitment by the different shareholders and third parties (like creditors, banks);

— Amount of public assistance and demonstration of the need for that amount;

2.2.8. Projected profit and loss accounts for the next five years with estimated return on capital and sensitivity study based on several scenarios;

2.2.9. Name(s) of the author(s) of the restructuring plan and date on which it was drawn up.

2.3. Describe the compensatory measures proposed with a view to mitigating the distortive effects on competition at Community level.

2.4. Provide all relevant information on aid of any kind granted to the firm receiving restructuring aid, whether under a scheme or not, until the restructuring period comes to an end.

3. Other Information

Please indicate here any other information you consider relevant to the assessment of the measure(s) concerned under the guidelines on aid for rescuing and restructuring firms in difficulty.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

PART III.9

SUPPLEMENTARY INFORMATION SHEET ON AID FOR AUDIOVISUAL PRODUCTION

This supplementary information sheet must be used for notifications of aid covered by the Commission Communication on certain legal aspects relating to cinematographic and other audiovisual works ⁽¹⁾.

1. **The aid scheme**
 - 1.1. Please describe as accurately as possible the purpose of the aid and its scope, where appropriate, for each measure.
 - 1.2. Does the aid directly benefit the creation of a cultural work (for cinema or television)?
 - 1.3. Please indicate what provisions exist to guarantee the cultural objective of the aid:
.....
.....
 - 1.4. Does the aid have the effect of supporting industrial investment?
2. **Conditions for eligibility**

Please indicate the conditions for eligibility for the planned aid:
.....
.....

 - 2.2. Beneficiaries:
 - 2.2.1. Does the scheme distinguish between specific categories of beneficiary (e.g. natural/legal person, dependent/independent producer/broadcaster, etc.)?
 - 2.2.2. Does the scheme differentiate on grounds of nationality or place of residence?
.....
.....
 - 2.2.3. In the case of establishment in the territory of a Member State, are beneficiaries obliged to fulfil any conditions other than that of being represented by a permanent agency? Note that the conditions of establishment must be defined with respect to the territory of the Member State and not to a subdivision of that State.
 - 2.2.4. If the aid has a tax component, must the beneficiary fulfil any obligations or conditions other than that of having taxable revenue in the territory of the Member State?
3. **Territorial coverage**
 - 3.1. Please indicate if there is provision for any form of obligation to spend in the territory of the Member State or in one of its subdivisions.
 - 3.2. Is it necessary to comply with a minimum degree of territorial coverage in order to be eligible for the aid?
 - 3.3. Is the required territorial coverage calculated with regard to the overall budget of the film or to the amount of aid?
 - 3.4. Does the condition of territorial coverage apply to certain specific items of the production budget?
 - 3.5. Is the absolute amount of aid adjustable in proportion to the expenditure carried out in the territory of the Member State?
 - 3.6. Is the aid intensity directly proportional to the effective degree of territorial coverage?
 - 3.7. Is the aid adjustable in proportion to the degree of territorial coverage required?

⁽¹⁾ Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and Committee of the Regions on certain legal aspects relating to cinematographic and other audiovisual works, OJ C 43, 16.2.2002, p. 6.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

4. Eligible costs

- 4.1. Please specify the costs which may be taken into account to determine the amount of aid.
- 4.2. Do the eligible costs all relate directly to the creation of a cinematographic or audiovisual work?

5. Aid intensity

- 5.1. Please indicate whether the scheme provides for use of the concept of difficult, low-budget film in order to obtain an aid intensity of over 50% of the production budget.
- 5.2. If so, please indicate the categories of film covered by this concept.
- 5.3. Please indicate whether the aid can be combined with other aid schemes ('cumulation of aid') or other provisions for aid and, if so, what arrangements are made to limit such cumulation or to ensure that, in the case of cumulation, the maximum aid intensity for the work is not exceeded.

6. Compatibility

- 6.1. Please provide a reasoned justification in support of compatibility of the aid in the light of the principles set out in the Commission Communication on certain legal aspects relating to cinematographic and other audiovisual works.

7. Other Information

Please indicate here any other information you consider relevant to the assessment of the measure(s) concerned under the Communication on certain legal aspects relating to cinematographic and other audiovisual works.

PART III.10

SUPPLEMENTARY INFORMATION SHEET ON ENVIRONMENTAL PROTECTION AID

This supplementary information sheet must be used for the notification of any aid covered by the Community Guidelines on State aid for environmental protection ⁽¹⁾.

1. Objective of the aid

- 1.1. Which are the objectives aimed at in terms of environmental protection? Please submit a detailed description for each part of the scheme

- If the measure in question has already been applied in the past, what have been the results in terms of environmental protection?
- 1.2. If the measure is a new one, what environmental results are anticipated, and over what period ?

⁽¹⁾ Community Guidelines on State aid for environmental protection, JOC 37, 3.2.2001, p. 3.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

2. Investment aid aimed at the adaptation to new Standards or aimed at going beyond existing standards

2.1. Aid for adaptation to new Community standards

2.1.1. Will aid be granted for reaching Community standards already adopted at the time of notification?

yes no

In the affirmative which are the Community standards in question?

Date at which they have been formally adopted by the competent Community Institutions?

Please confirm that no aid will be granted to large enterprises for reaching Community standards already adopted but not yet in force

yes no

If Community Standards are set in a directive, which deadlines are set for the transposition?

2.1.2. Which are the eligible costs?

Please explain how it will be ensured that the eligible costs are only the extra costs necessary to meet the environmental objective, and how any cost savings engendered over the first 5 years of the life of the investment will be taken into account

To what extent are advantages deriving from a possible capacity increase and from accessory additional productions taken into account?

2.1.3. What is the maximum aid intensity expressed as a gross amount of the planned aid?

2.2. State aids aimed at going beyond Community standards or planned in case no Community Standard exists.

2.2.1. If Community standards exist, please describe

If there are no Community standards, are there national standards?

yes no

If yes, please attach copies of the relevant texts.

Please confirm that an enterprise will only be granted aid for reaching national standards which are more stringent than Community standards or where no Community standards exist, if it complies with the relevant standard on the final date laid down in the national measure:

Please give examples of eligible investments:

In the case of national standards, are they stricter than Community standards?

yes no

If yes, please specify,

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

2.2.2. What are the eligible costs?

Please explain in what way it will be ensured that the eligible costs are only the extra costs necessary to meet the environmental objective, and how any cost savings engendered over the first 5 years of the life of the investment will be taken into account.

.....
.....

To what extent have possible advantages deriving from a capacity increase and additional accessory productions been taken into account?

2.2.3. Please state the maximum gross aid intensity of the planned measure

What is the standard maximum gross aid intensity of the planned measure?

Does the aid scheme provide for a bonus for undertakings situated in regions eligible for national regional aid?

yes no

If yes, which bonuses are foreseen?

.....

Does the aid scheme provide for a bonus for SMEs?

yes no

If yes, please give details?

Can the bonus be cumulated with the bonus for undertakings situated in assisted regions?

yes no

If yes, please describe the modalities:

.....

3. **Investment aid in the energy sector**

3.1. Aids for investments aimed at energy saving

3.1.1. What are the energy savings expected as a result of the ad hoc aid or aid scheme?

Is the amount of the expected savings assessed by an independent expert? Please give examples of eligible investments

.....

3.1.2. What are the CO2 saving expected as a result of the ad hoc aid or aid scheme ?

3.1.3. What are the eligible costs?

Please explain in what way it will be ensured that the eligible costs are only the extra costs necessary to meet the environmental objective, and how any cost savings engendered over the first 5 years of the life of the investment will be taken into account.

To what extent have possible advantages deriving from a capacity increase and additional accessory productions been taken into account?

What is the maximum gross aid intensity of the planned aid ?

Does the project provide for a bonus for undertakings in areas eligible for national regional aid schemes?

yes no

If yes, which bonuses are foreseen?

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

Does the planned scheme provide for a bonus for SMEs?

yes no

If yes, which bonus?

Can this bonus be cumulated with the bonus applicable to undertakings in assisted areas?

yes no

If yes, what are the conditions?

3.2. Aids in favour of the combined production of electricity and heat

3.2.1. Which primary source of energy will be used in the production process?

3.2.2. What will be the environmental benefit of the measure in question?

If the conversion efficiency is particularly high, give the comparative average.

What will be the minimum conversion efficiency of the eligible CHP plants?

If the measures allow energy consumption to decrease, in what proportion?

Have the provisions been elaborated by an independent expert?

In what respect and to what extent is the production process less damaging for the environment, if at all?

.....

3.2.3. What are the eligible costs?

What would be the investment costs for the installation of a production entity for electricity (or heat) for the same capacity in terms of effective energy production?

To what extent is the sale of heat (if the installation is primarily destined for the production of energy) or the sale of electricity (in the opposite case) taken into account in order to decrease the higher investment costs?

In the case of the replacement of an existing installation, is there an advantage deriving from the increase of capacity or from cost saving?

How are those advantages calculated?

3.2.4. What is the maximum gross aid intensity of the planned aid?

What is the standard maximum gross intensity of the aid?

Does the planned scheme provide for a bonus for undertakings in assisted areas?

yes no

If yes, which bonuses are foreseen?

Is a bonus foreseen for SMEs?

yes no

If yes, please give details

Can this bonus be cumulated with the bonus for undertakings in assisted areas?

yes no

If yes, under what conditions?

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

3.3. Aids for investment in renewable energies

3.3.1. Which are the types of energy in question? Do they fall under the definition of renewable energies described in Art. 2 of Directive 2001/77/CE of the European Parliament and of the Council of 27 September 2001 ⁽¹⁾?

In case the investments are meant to provide energy for a whole Community, describe the limits of this community and the types of energy used before for that purpose.

3.3.2. What are the eligible costs?

What would be the investment costs for the installation of a production entity for electricity for the same capacity in terms of effective energy production?

3.3.3. What is the maximum gross aid intensity of the planned aid?

If the aid may cover the total eligible costs, why is such an aid rate indispensable?

In similar circumstances, how would the produced energy be traded, through which distributors and at what tariffs?

Does the planned aid scheme provide for a bonus for undertakings situated in regions eligible for national regional aid?

yes no

If so, what is the size of the bonus?

Is a bonus foreseen for SMEs?

yes no

If yes, please give details:

Can this bonus be cumulated with the bonus provided for undertakings in assisted regions?

yes no

If yes, under which conditions?

Can the notified investment aid be combined with other State aid within the meaning of Article 87(1) of the Treaty, or with other forms of Community financing?

yes no

If yes, please undertake to respect the maximum aid intensities stipulated in the environmental aid guidelines, or, where aid serving different purposes and involving the same eligible costs is granted, the most favorable aid ceiling:

4. Aid in favour of the rehabilitation of polluted industrial areas

4.1. What is the site in question (description of the site) and what is the nature of the pollution?

Has the nature, extent and risk to human health and the environment of the pollution been subject to an independent expert assessment?

yes no

Which ones? Attach copies of the reports.

⁽¹⁾ Directive 2001/77/CE of the European Parliament and of the Council of 27 September 2001, OJ L 283, 27.10.2001, p. 3.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

4.2. In the case of ad-hoc aid, please answer the following questions :

Is the current ownership of the site public or private ?

If the current ownership of the site is public, has this site been purchased by the public administration in order to carry out the remediation/rehabilitation actions?

yes no

Has the person responsible for the pollution of the site been identified?

yes no

If not, please describe briefly the exemption circumstances that render the polluter not liable

Has the value of the polluted site (before rehabilitation) been evaluated through an independent expert analysis?

yes no

What is the market value of the site before the rehabilitation action ?

.....

What are the costs calculated for the rehabilitation work?

What are the primary costs in the sense of the Commission Communication on State aid elements in sales of land and buildings by public authorities?

.....

Has the value of the site after rehabilitation been estimated by an independent expert assessment?

yes no

What is the estimated market value of the rehabilitated site?

.....

Has the public administration the intention of selling the land within three years after the date of acquisition?

What land use will be given to the polluted site after its rehabilitation?

What is the scope of the envisaged aid?

What is the maximum gross aid intensity of the planned aid?

4.3. In case of an aid scheme, please explain

What is the scope of the envisaged aid ?

What is the maximum gross aid intensity of the planned aid ?

Have similar aid schemes been given to fund the rehabilitation of other polluted sites in your Member State? Please explain how many sites have been remediated under similar schemes and what were the amounts allocated to such schemes?

.....

5. **Aid in favour of relocalisation of an Undertaking**

5.1. Where is the undertaking which should benefit from the relocation aid situated?

If the location is in a Zone Natura 2000, which legislative text provides for that qualification?

5.2. Why does the relocation takes place?

Please provide a thorough description of the environmental, social or public health circumstances that render the relocation necessary. Is the owner of the undertaking liable (under national or Community legislation) for the pollution/environmental problem?

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

5.3. Is there an administrative or judicial decision ordering the relocation of the undertaking ?

yes no

If yes, attach a copy of the relevant decision.

Please confirm that the beneficiary will comply with the strictest environmental standards applicable in the new region where it is located.

5.4. What profits can the undertaking expect from the sale, the expropriation, or rent of the abandoned territories or installations ?

5.5. What costs will have to be assumed in relation with the new installation with equal production capacity as the one abandoned ?

Will the relocation cause penalties for the anticipated termination of the contract regarding the rent of the territory or of the buildings ?

Will there be any benefits from the new technology used following the relocation ?

Are there accounting gains from the better use of the installations following the relocation ?

What is the maximum gross aid intensity of the planned aid?

6. Aid to SMES for advisory/consultancy services in the environmental field

6.1. Who are the potential beneficiaries of the aid ?

Do they fulfil all the conditions of Annex 1 of Regulation (CE) No 70/2001 of the Commission of 12 January 2001, concerning the application of Articles 87 and 88 of the Treaty CE to state aids for SMES ⁽¹⁾

6.2. Will the consultancy services be provided by external companies ?

yes no

Do the external companies have financial links with the undertakings beneficiaries of the aid?

yes no

Please state the exact nature of the consultancy services:

7. Operating aid To promote waste management and energy saving

7.1. What are the extra production costs and what share is covered by the aid?

If the aid is degressive please state the modalities?

7.2. What is the foreseen duration for the application of the notified aid scheme?

7.3. Specific questions in case of aid to promote waste management :

How is it ensured that a beneficiary finances the service provided in proportion to the amount of waste produced and/or the cost of treatment?

In case of an aid for industrial waste management are there Community rules applicable ?

yes no

⁽¹⁾ Regulation (EC) N° 70/2001 of the Commission of 12 January 2001 concerning the application of Article 87 and 88 EC Treaty to State aids to small and medium-sized enterprises, OJ L 10, 13.10.2001, p. 33.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

If yes, please describe:

In the absence of Community rules, are there national rules ?

yes no

If yes, please describe:

If, yes, are these national rules stricter than Community rules?

yes no

If yes, please describe:

8. **Operating Aids in form of tax reductions or exemptions**

8.1. Introduction of a new tax as a result of a Community obligation

8.1.1. The Member State grants exemptions which lead to a rate lower than the minimum Community rate

From which tax will a reduction or exemption be granted?

How does the levying of the tax contribute to environmental protection?

What results have been obtained as a direct consequence of the tax, or are expected to be obtained?

Have these exemptions been authorized by the Council applying Community fiscal rules?

Why is it necessary to apply lower rates than the minimum Community rates?

Are the sectors benefiting from the tax reductions subject to strong intra-community and/or international competition?

How many undertakings may benefit from this measure?

Are those undertakings subject to other charges concerning environmental protection?

8.1.2. The Member State grants tax reductions at a rate lower than the minimum Community rate

From which tax will a reduction or exemption be granted ?

How does the levying of the tax contribute to environmental protection ?

What results have been obtained as a direct consequence of the tax, or are expected to be obtained ?...

Are the derogations conditional on the conclusion of agreements between the recipient firms and the Member State in order to improve environmental protection?

yes no

What is the nature of these agreements ?

Are the agreements open to all sectors of the economy which can benefit from the tax measure ?

.....

If the signing up to an agreement is voluntary and not a condition for receiving the tax benefit, what is the (expected) rate of accession to agreements among the beneficiaries of the tax benefit ?

.....

Who ensures the monitoring of the agreements entered into by the firms ?

Which sanctions are foreseen in case of non-compliance of the obligations undertaken in the agreements ?

.....

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

Attach a copy of such agreements or describe them in detail.

If national rules have the same effects as the above-mentioned agreements, please attach a copy of the rules.

In the absence of agreements between firms and the Member State, what will be the rate effectively paid by the firms after application of the reduction and what will be the difference between this amount and the minimum Community rate?

8.1.3. Derogation applicable for the introduction of a new tax imposed in the absence of a Community obligation

Are the derogations conditional on the voluntary or obligatory conclusion of agreements between the firms and the Member State aiming at an improvement of the environment?

yes no

What is the nature of such agreements ?

yes no

Are they open to all sectors of the economy which can benefit from the tax measure ?

yes no

If the signing up to an agreement is voluntary and not a condition for receiving the tax benefit, what is the rate of accession to agreements among the beneficiaries of the tax benefit ?

Who ensures the respect of the commitments entered into by the firms ?

What are the sanctions in case of non-compliance with the commitments foreseen in the agreements ?

.....

Attach a copy of the draft agreements if available or describe their content.

If there are national rules having the same effect as the aforementioned agreements, attach a copy of these national rules.

In the absence of agreements between firms and the Member State which rate will be effectively paid by the firms after application of the reduction and which will be the difference to the "normal" national rate ?

.....

Please submit figures which enable the Commission to assess the share of the tax actually paid.

Which duration is foreseen for the application of the notified planned aid scheme?

.....

8.1.4. Derogations applicable to existing taxes

What is the environmental effect of the tax concerned by the measure?

When was the tax introduced ?

For which beneficiaries ?

Was the decision to grant a tax reduction for the beneficiaries concerned by this notification made in connection with a significant increase of the tax ?

yes no

If yes, please show the development of the relevant tax rate over time in absolute terms.

Have the derogations become necessary following a significant change in the economic conditions ?

Describe the change

.....

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

Is this change specific to one Member State or does it exist in all Member States?
.....

Which increase of charges is due to the change of economic conditions ?
.....

What is the duration of the application of the notified planned aid scheme?

8.1.5. Tax exemption necessary for the modernisation of production of energy in order to obtain a higher energy efficiency.

What traditional energy sources will be used for the production of energy ?
.....

What will be the difference in energy efficiency as compared to traditional methods of production ?
.....

What additional costs will be caused by the envisaged production ?
.....

9. Operating Aids in Favour of renewable energies

9.1. Which are the categories of energy in question ?

Do these types of energy fall within the definition of renewable energies as set out in Art. 2 of Directive 2001/77/CE of the European Parliament and of the Council of 27 September 2001?

9.2. Aids for compensating the difference between the production costs for renewable energies and the market prices for such energy:.....

Are these new plants?

yes no

What are the average production costs and the difference to the average market price for every source of renewable energy?

Please describe the precise support mechanism and in particular the method for calculating the amount of aid:
.....

What is the foreseen duration for amortizing the plants?

Please show that the net present value of the aid will not exceed the net present value of the total investment costs for the power plant or the type of power plant benefiting from the aid
.....

If the aid is foreseen for several years, what are the modalities for the revision of production costs and market prices?

Are the plants for the production of renewable energy sources as well eligible for investment aids?

yes no

If yes, how much?

How will the investment aid be taken into account when determining the need for operating aid?

Does the aid include an element of return on capital?

yes no

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

If yes, how much? Please explain why this is considered to be necessary. For the biomass sector, can the aid go beyond the coverage of the investments?

9.3. Aids in the form of market mechanisms

Are these new plants?

yes no

What are the average costs for the production of the renewable energy in question and the difference to the average market price for energy?

How will the mechanism function?

How is it ensured that the mechanism does not dissuade renewable energy producers from becoming more competitive?

How does the mechanism take imports and exports of electricity into account?

In the case of green certificates will the Member State intervene directly or indirectly in the price - setting?

Can the Member State, if it so wishes, put new certificates on the market or can it buy them?

yes no

Will the system include a charge to be paid in case of non-fulfilment of an obligation?

yes no

If yes, how will this money be collected, administered and used?

How will the control be ensured in order to avoid an overall overcompensation of the participating firms?

9.4. Operating aid on the basis of the external costs avoided

Are these new plants?

yes no

How and by whom have the external costs avoided been calculated? Please submit a reasoned and quantified comparative cost analysis together with an assessment of external costs caused by competing energy producers

.....

What is the maximum amount of aid per kWh?

.....

How is control ensured that the amounts of aid going beyond the amount resulting from option 1 is in fact re-invested in the sector or renewable energies?

.....

10. **Operating aid for the combined production of Heat and Electricity**

10.1. Which primary energy source will be utilised in the production process?

What is the benefit of the planned measure for the environment?

If the conversion efficiency is particularly high, what is the comparative average?

What will be the minimum conversion efficiency of the eligible CHP plants?

In which proportion, if at all, does the measure allow for the reduction of energy consumption?

Have the measures been assessed by an independent expert?

In which aspects and to what extent, if at all, does the production process damage less the environment?

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

What are the modalities of the planned aid?

What are the average production costs and the average market prices of the produced energies?

What is the average market price of a traditional energy unit?

In case of industrial use of the combined production of heat and electricity, which are the possible benefits from the production of heat?

If the aid is foreseen for several years, which are the conditions for the adjustment of production costs and market prices?

11. Other Information

Please indicate here any other information you consider relevant to the assessment of the measure(s) concerned under the guidelines on aid for environmental protection.

PART III.11

SUPPLEMENTARY INFORMATION SHEET ON RISK CAPITAL AID

This supplementary information sheet must be used for the notification of any aid scheme covered by the Communication on State aid and Risk Capital (1). Please note that if the scheme is covered by another framework or guidelines, the corresponding standard notification form for the relevant framework or guidelines should be used instead.

1. Beneficiary of aid

Who is/are the beneficiary/ies of the scheme (please tick one or more boxes as appropriate):

1.1 [] investors setting up a fund or providing equity in a company or a set of companies. Please specify selection criteria:

.....
.....
.....

1.2 [] investment fund or other intermediary vehicle. Please specify selection criteria:

.....
.....
.....

1.3 [] enterprises invested in. Please specify selection criteria:

.....
.....
.....

2. Form of aid

2.1. The scheme envisages the following measure(s) and/or instrument(s) (please tick one or more boxes as appropriate):

[] constitution of an investment fund (i.e. venture capital fund) in which public authorities are a partner, investor, or participant. Please specify:

.....
.....
.....

(1) Commission Communication on State aid and Risk Capital, OJ, C 235 of 21.08.2001, p. 3.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

- grants to an investment fund (i.e. venture capital fund) to cover part of its administrative and management costs. Please specify:
.....
.....
.....
 - guarantees to risk capital investors or to risk capital funds against a proportion of investment losses, or guarantees in respect of loans to investors or funds for investment in risk capital. Please specify:
.....
.....
.....
 - other financial instruments in favour of risk capital investors or of venture capital funds to provide extra capital for investment. Please specify:
.....
.....
.....
 - fiscal incentives to investors to undertake risk capital investments. Please specify:
.....
.....
.....
- 2.2 The combination of the above measure(s) and/or instrument(s) does not lead to the provision of capital to (an) enterprise(s) invested in solely in the form of loans (including subordinated loans and 'equity' loans) or other instruments which provide the investor/lender with a fixed minimum return. Please specify:
.....
.....
.....
3. **Existence of market failure**
- 3.1 The maximum tranche of finance for target enterprises financed under the aid scheme does not exceed:
- EUR 500,000;
 - EUR 750,000 for enterprises located in regions qualifying for assistance under Article 87(3)(c) of the EC Treaty;
 - EUR 1 million for enterprises located in regions qualifying for assistance under Article 87(3)(a) of the EC Treaty.
- 3.2 If the maximum tranches of finance for target enterprises financed under the aid scheme exceeds the above thresholds, the scheme must be justified by the presence of a 'market failure' in the relevant area(s) of investment. Please specify by adducing supporting evidence:
.....
.....
.....
4. **Main features of aid**
- 4.1. The State funds are restricted exclusively or prevalently to effect equity investments into:
- enterprises located in assisted regions qualifying under Article 87(3)(a) of the EC Treaty and/or under Article 87(3)(c) of the EC Treaty.
 - micro or small enterprises;

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

- medium-sized enterprises in their start-up or other early stages, or located in assisted areas.
- for medium-sized enterprises beyond their start-up or other early stages, or not located in assisted areas, there is a limit per enterprise on total funding through the measure. Please specify:
.....
.....
.....
- 4.2. The scheme is focused on risk capital market failure and provides for delivery of finance to enterprises principally in the form of equity or quasi-equity. Please specify if necessary:
.....
.....
.....
- 4.3. Decisions to invest are profit-driven and there is a link between investment performance and those responsible for investment decisions, demonstrated by the following:
 - All the capital invested in the target enterprises is provided by market economy investors or
 - There is a significant involvement of market economy investors' in the target enterprises. Please specify:
.....
.....
.....
- 4.3.1. In the case of *investment funds*, the profit-driven character of investments is demonstrated by (please tick one or more as appropriate):
 - At least 50% of the fund's capital is provided by private investors;
 - At least 30% of the fund's capital is provided by private investors in the case of measures operating in regions qualifying under Article 87(3)(a) of the EC Treaty or under Article 87(3)(c) of the EC Treaty;
 - Other factors justifying a different level of private capital. Please describe
.....
 - There is an agreement between a professional fund manager and participants in the fund providing that the manager's remuneration is linked to the performance of the fund and that clearly sets out the objectives of the fund and the timing of investments;
 - private investors are represented in decision-making;
 - there is application of best practice and regulatory supervision in the management of the fund.
- 4.4. Distortion of competition between investors and investment funds is minimised, as demonstrated by:
 - a call for tender setting out any preferential terms accorded to private investors;
 - in case of an investment fund, a public invitation to investors at its launch;
 - in case of a scheme (e.g. a guarantee scheme), it will remain open to all new entrants.
- 4.5. Each investment will be based on the existence of a detailed business plan to establish the viability of each project.
- 4.6. A clear 'exit mechanism' is provided under the scheme. Please specify:
.....
.....
.....
- 4.7. Is the possibility to recycle funds within a scheme foreseen?

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

- 4.8. Sectoral focus. Target enterprises are active in (a) certain sector(s) of the economy only. Please specify the sector(s) and the underlying commercial as well as public policy logic:

.....

5. **Cumulation of the aid**

- 5.1. If the scheme provides for aid to enterprises invested in, are they already recipients of aid under another framework ⁽¹⁾, including under other authorised schemes? Please specify:

.....

- 5.2. If equity provided under the risk capital scheme to enterprises is used to finance initial investment, research and development costs or other costs eligible under other frameworks, is the relevant aid ceiling complied with also taking into account the aid element of the risk capital scheme? Please specify.

.....

6. **Other Information**

Please indicate here any other information you consider relevant to the assessment of the measure(s) concerned under the communication on aid and risk capital.

⁽¹⁾ The information to be provided does not cover de minimis aid pursuant to Commission Regulation (EC) No 69/2001 of 12 January 2001 on the application of Articles 87 and 88 to de minimis aid, OJ L 10, 13.1.2001, p. 30, granted to the same enterprises, which needs not be reported.

[^{F1}]^{X1}PART III.12

INFORMATION SHEET FOR AGRICULTURE

Please note that this State aid notification form only applies to activities related to the production, processing and marketing of agricultural products as defined in point 6 of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013⁽⁴⁾. Please note that the specific State aid rules for agriculture do not apply to measures related to

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

the processing of Annex I products into non-Annex I products. For such measures you should complete the relevant notification form.

1. Products covered

1.1. Does the measure apply to any of the following products which are not yet subject to a common market organisation:

- # potatoes other than starch potatoes;
- # horsemeat;
- # coffee;
- # cork;
- # vinegars derived from alcohol;
- # the measure does not apply to any of these products.

2. Incentive effect

A. *Aid schemes*

2.1. Will aid under an aid scheme only be granted in respect of activities undertaken or services received after the aid scheme has been set up and declared compatible with the EC Treaty by the Commission?

#	yes	#	no
---	-----	---	----

If no, please refer to point 16 of the Guidelines.

2.2. If the aid scheme creates an automatic right to receive the aid, requiring no further administrative action at administrative level, may the aid itself only be granted for activities undertaken or services received after the aid scheme has been set up and declared compatible with the EC Treaty by the Commission?

#	yes	#	no
---	-----	---	----

If no, please refer to point 16 of the Guidelines.

2.3. If the aid scheme requires an application to be submitted to the competent authority concerned, may the aid itself only be granted for activities undertaken or services received after the following conditions have been fulfilled:

- a) the aid scheme must have been set up and declared compatible with the EC Treaty by the Commission;
- b) an application for the aid must have been properly submitted to the competent authority concerned;
- c) the application must have been accepted by the competent authority concerned in a manner which obliges that authority to grant the aid, clearly indicating the amount of aid to be granted or how this amount will be calculated; such acceptance by the competent authority may only be made if the budget available for the aid or aid scheme is not exhausted?

#	yes	#	no
---	-----	---	----

If no, please refer to point 16 of the Guidelines.

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

B. *Individual aids:*

- 2.4. Will individual aid outside any scheme only be granted in respect to activities undertaken or services received after the criteria in point 2.3 (b) and (c) above have been satisfied?

#	yes	#	no
---	-----	---	----

If no, please refer to point 16 of the Guidelines.

C. *Compensatory aids:*

- 2.5. Is the aid scheme compensatory in nature?

#	yes	#	no
---	-----	---	----

If yes, points A and B above do not apply.

3. Type of aid

What type(s) of aid does the planned measure include:

RURAL DEVELOPMENT MEASURES

- A. Aids for investments in agricultural holdings
- B. Aids for investments in connection with the processing and marketing of agricultural products
- C. Agri-environmental and animal welfare aid
- C bis. Nature 2000 payments and payments linked to Directive 2000/60/EC⁽⁵⁾
- D. Aid to compensate for handicaps in certain areas
- E. Aid for meeting standards
- F. Aid for the setting up of young farmers
- G. Aid for early retirement or for the cessation of farming activities
- H. Aid for producer groups
- I. Aid for land re-parcelling
- J. Aid to encourage the production and marketing of quality agricultural products
- K. Provision of technical support in the agricultural sector
- L. Aid for the livestock sector
- M. Aid for the outermost regions and the Aegean Islands

RISK AND CRISIS MANAGEMENT

- N. Aid to compensate for damage to agricultural production or the means of agricultural production
- O. Aid for combating animal and plant diseases
- P. Aid towards the payment of insurance premiums
- Q. Aid for closing production, processing and marketing capacity

OTHER AIDS

- R. Aid for advertising of agricultural products
- S. Aid linked to tax exemptions under directive 2003/96/EC⁽⁶⁾,
- T. Aids for the forestry sector

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

Editorial Information

- X1** Substituted by [Corrigendum to Commission Regulation \(EC\) No 1935/2006 of 20 December 2006 amending Regulation \(EC\) No 794/2004 implementing Council Regulation \(EC\) No 659/1999 laying down detailed rules for the application of Article 93 of the EC Treaty \(Official Journal of the European Union L 407 of 30 December 2006\)](#).

Textual Amendments

- F1** Substituted by [Commission Regulation \(EC\) No 1935/2006 of 20 December 2006 amending Regulation \(EC\) No 794/2004 implementing Council Regulation \(EC\) No 659/1999 laying down detailed rules for the application of Article 93 of the EC Treaty](#).

PART III.12.A

SUPPLEMENTARY INFORMATION SHEET ON SUPPORT FOR INVESTMENTS IN AGRICULTURAL HOLDINGS

This information sheet relates to investments in agricultural holdings discussed in point IV.A of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013⁽⁷⁾.

1. Objective of the aid

1.1. Which of the following objectives does the investment pursue?

- # Reduce production costs;
 # Improve and redeploy production;
 # Increase quality;
 # Preserve and improve the natural environment, comply with animal hygiene and standards;
 # Promote the diversification of farm activities;
 # Other (please specify):

If the investment pursues other aims, please note that only investments pursuing one or more of the objectives listed above are eligible for support for investments in agricultural holdings.

1.2. Does the aid concern simple replacement investments?

#	yes	#	no
---	-----	---	----

If yes, please note that simple replacement investments are not eligible for support for investments in agricultural holdings.

1.3. Is the aid linked to investments in products which are subject to restrictions on production or limitations of Community support at the level of individual farmers, holdings or processing plants under a common organisation of the market (including direct support schemes) financed by the EAGF, which would increase production capacity beyond these restrictions or limitations?

#	yes	#	no
---	-----	---	----

If yes, please note that, under point 37 of the Guidelines, no aid may be granted for such investments.

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*Changes to legislation: There are currently no known outstanding effects for the
Commission Regulation (EC) No 794/2004. (See end of Document for details)*

2. Beneficiaries

Who are the beneficiaries of the aid?

- # farmers;
- # producer groups;
- # other (please specify):

.....

3. Aid intensity

3.1. Please state the maximum rate of public support, expressed as a percentage of eligible investment:

- (a) in less-favoured areas or the areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005⁽⁸⁾ (max. 50 %);
- (b) in other regions (max. 40 %);
- (c) for young farmers in less-favoured areas or the areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005, carrying out the investment within five years of setting up (max. 60 %);
- (d) for young farmers in other areas, carrying out the investment within five years of setting up (max. 50 %);
- (e) in the outermost regions and on the smaller Aegean islands within the meaning of Regulation (EEC) No 2019/93⁽⁹⁾ (max. 75 %);
- (f) for investments entailing extra costs linked to the preservation and improvement of the natural environment or improvements in the hygiene of livestock farms or the well-being of livestock carried out within the time-limits for transposition of the newly introduced minimum standards (max. 75 % in less-favoured areas or the areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005, and max. 60 % in other areas);
- (g) for investments entailing extra costs linked to the preservation and improvement of the natural environment or improvements in the hygiene of livestock farms or the well-being of livestock carried out within three years following the date on which the investment must be authorised under Community legislation (max. 50 % in less-favoured areas or the areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005, and max. 40 % in other areas);
- (h) for investments entailing extra costs linked to the preservation and improvement of the natural environment or improvements in the hygiene of livestock farms or the well-being of livestock carried out in the fourth year following the date on which the investment must be authorised under Community legislation (max. 25 % in less-favoured areas or the areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005, and max. 20 % in other areas);
- (i) for investments entailing extra costs linked to the preservation and improvement of the natural environment or improvements in the hygiene of livestock farms or the well-being of livestock carried out in the fifth year following the date on which the investment must be authorised under Community legislation (max. 12,5 % in less-favoured areas or the areas referred to in Article 36(a)(i), (ii) or (iii) of

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Regulation (EC) No 1698/2005, and max. 10 % in other areas, *(no aid can be granted for expenses incurred beyond the fifth year)*;

- (j) for additional investment expenditure made by those Member States who joined the Union on 1 May 2004 and 1 January 2007 respectively, for the purposes of implementing Directive 91/676/EEC⁽¹⁰⁾ (max. 75 %);
- (k) for additional investment expenditure made for the purposes of implementing Directive 91/676/EEC and which is the subject of support under Regulation (EC) No 1698/2005 (max. 50 % in less-favoured areas or the areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005, and max. 40 % in other areas);
- (l) for investments made by young farmers in order to comply with Community or national standards in force (max. 60 % in less favoured areas or the areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005, and max. 50 % in other areas).

- 3.2. In the case of investments entailing extra costs linked to the preservation and improvement of the natural environment, improvements in the hygiene of livestock farms or the well-being of livestock, are the extra costs limited to investments either exceeding the minimum requirements currently prescribed by the Community or complying with newly introduced minimum standards? Are they strictly limited to eligible extra costs in connection with these objectives without resulting in an increased production capacity?

#	yes	#	no

- 3.3. In the case of investments made for the purposes of implementing Directive 91/676/EEC, is the envisaged aid intensity limited to necessary and eligible extra costs, and does it exclude investments leading to increased production capacity?

#	yes	#	no

- 3.4. In the case of investments made by young farmers in order to comply with Community or national standards in force, is the aid limited to extra costs as a result of implementing these standards and have these costs been incurred within 36 months after installation?

#	yes	#	no

4. Eligibility criteria

- 4.1. Is the aid limited to agricultural holdings not in difficulty?

#	yes	#	no

- 4.2. Is the aid intended for the manufacture and marketing of products which imitate or substitute for milk and milk products?

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

#	yes	#	no
---	-----	---	----

5. Eligible expenditure

5.1. Do eligible expenses include:

- # construction, acquisition or improvement of immovable property;
- # the purchase or lease purchase of machinery and equipment, including computer software up to the market value of the asset, exclusive of costs connected with a leasing contract (tax, lessor's margin, interest refinancing costs, overheads, insurance charges etc);
- # overheads connected with the two previous types of expenses (for instance architect's fees, engineer's fees, expert's fees, feasibility studies, acquisition of patents and licences)?

5.2. Does the aid cover the purchase of second-hand machinery?

#	yes	#	no
---	-----	---	----

5.3. If yes, is eligibility limited to small and medium enterprises with a low technical level and limited capital?

#	yes	#	no
---	-----	---	----

5.4. Are any of the following excluded from the aid scheme: the purchase of production rights, animals and annual plants, or the planting of annual plants?

#	yes	#	no
---	-----	---	----

If no, please note that according to point 29 of the Guidelines no aid may be granted for such types of expenditure.

5.5. Is the share of purchases of land other than land for construction purposes in the eligible expenses for the planned investment limited to 10 %?

#	yes	#	no
---	-----	---	----

If no, please note that this 10 % ceiling is one of the eligibility criteria to be met under point 29 of the Guidelines.

6. Aid for the conservation of traditional landscapes and buildings

6.1. Does the aid concern investments or capital works intended for the conservation of *non-productive* heritage features located on agricultural holdings?

#	yes	#	no
---	-----	---	----

6.1.1. If yes, what is the envisaged rate of aid (max. 100 %):

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

.....

6.1.2. Do the eligible expenses include remuneration for the work of the farmer or his workers?

#	yes	#	no
---	-----	---	----

6.1.3. If yes, will this remuneration be limited to a maximum of EUR 10 000 per year?

#	yes	#	no
---	-----	---	----

6.1.4. If no, please give reasons for exceeding the above limit.

...

6.2. Does the aid concern investments or capital works intended to conserve the heritage features of *productive assets* on farms?

#	yes	#	no
---	-----	---	----

6.2.1. If yes, does the investment entail any increase in the production capacity of the farm?

#	yes	#	no
---	-----	---	----

6.2.2. What are the envisaged maximum aid rates for this type of investment?

#	Investments without increase in capacity: Maximum rate envisaged for less-favoured areas or the areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005 (max. 75 %):
#	Maximum rate envisaged for other areas (max. 60 %): Investments with increase in capacity: Maximum rate envisaged in cases where contemporary materials are used (max.: see point 3.1): Maximum rate envisaged in cases where traditional materials are used, expressed as a percentage of the extra cost (max. 100 %):

7. Relocation of farm buildings in the public interest

7.1. Does the relocation result from expropriation?

#	yes	#	no
---	-----	---	----

7.2. Is the relocation justified on grounds of public interest specified in the legal basis?

#	yes	#	no
---	-----	---	----

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

Please note that the legal basis must explain the public interest served by the relocation.

7.3. Does relocation simply consist of the dismantling, removal and re-erection of existing facilities?

#	yes	#	no
---	-----	---	----

7.3.1. If yes, what is the intensity of the aid? (max. 100 %)

.....

7.4. Does relocation result in the farmer benefiting from more modern equipment and facilities?

#	yes	#	no
---	-----	---	----

7.4.1. If yes, what is the farmer's own contribution, as a percentage of the added value of the facilities after relocation?

In less-favoured areas or the areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005 (min. 50 %)

.....
 In other areas (min. 60 %)

.....
 Young farmers in less-favoured areas or the areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005 (min. 45 %)

.....
 Young farmers in other areas (min. 55 %)

7.5. Does relocation result in an increase in production capacity?

#	yes	#	no
---	-----	---	----

7.5.1. If yes, what is the farmer's own contribution, as a percentage of the expenditure linked to the increase?

In less-favoured areas or the areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005 (min. 50 %)

.....
 In other areas (min 60 %)

.....
 Young farmers in less-favoured areas or the areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005 (min. 45 %)

.....
 Young farmers in other areas (min 55 %)

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

8. Other information

- 8.1. Is the notification accompanied by documentation demonstrating how the State aid measure is consistent with the relevant rural development programme(s) concerned?

#	yes	#	no
---	-----	---	----

If yes, please provide this documentation below or in an annex to this supplementary information sheet

.....

If no, please note that this documentation must be provided under point 26 of the Guidelines

- 8.2. Is the notification accompanied by documentation showing that support is targeted on clearly defined objectives reflecting identified structural and territorial needs and structural disadvantages?

#	yes	#	no
---	-----	---	----

If yes, please provide this documentation below or in an annex to this supplementary information sheet

.....

If no, please note that this documentation must be provided under point 36 of the Guidelines

PART III.12.B.

SUPPLEMENTARY INFORMATION SHEET FOR AID FOR INVESTMENTS IN CONNECTION WITH THE PROCESSING AND MARKETING OF AGRICULTURAL PRODUCTS

This notification form applies to aid investments in the processing⁽¹¹⁾ and marketing⁽¹²⁾ of agricultural products, as dealt with in point IV.B. of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013⁽¹³⁾.

1. Scope & beneficiaries of the aid

- 1.1. Please specify under which provision of the *Agricultural Guidelines* this notification is meant to fall:

1.1.1. # *point IV.B.2. (a)* [Commission Regulation (EC) No 70/2001⁽¹⁴⁾ or any provision replacing it]

1.1.2. # *point IV.B.2. (b)* [Commission Regulation (EC) No 1628/2006⁽¹⁵⁾]

1.1.3. # *point IV.B.2. (c)* [Commission guidelines on national regional aid for 2007 to 2013⁽¹⁶⁾]

1.1.4. # *point IV.B.2. (d)* [aid for intermediate companies in regions **not** eligible for regional aid]

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

1.2. **Commission Regulation (EC) No 70/2001 (State aid to small and medium-sized enterprises)**

Is the beneficiary a SME in the processing or marketing of agricultural products?

#	yes	#	no
---	-----	---	----

If no, the aid does not fulfil the necessary conditions under this Regulation and cannot be declared compatible with the Common Market under point IV.B.2.(a) of the Guidelines.

If yes, the aid is exempted from the obligation to notify. Please state the reasons why your authorities still would like to submit a notification. In this case, please refer to the relevant part of the general notification form (Annex I part I and III.1 of Regulation (EC) No 794/2004⁽¹⁷⁾ or any provision replacing it).

1.3. **Commission Regulation for regional investment aid**

Does the aid fulfil the conditions set out in this Regulation?

#	yes	#	no
---	-----	---	----

If no, the aid does not fulfil the necessary conditions under this Regulation and cannot be declared compatible with the Common Market under point IV.B.2.(b) of the Guidelines.

If yes, the aid is exempted from the obligation to notify. Please state the reasons why your authorities would still like to submit a notification. In this case, please refer to the specific notification form.

1.4. **Commission guidelines on national regional aid for 2007 to 2013⁽¹⁶⁾**

Does the aid fulfil the conditions set out in these Guidelines?

#	yes	#	no
---	-----	---	----

If no, the aid does not fulfil the necessary conditions under these Guidelines and cannot be declared compatible with the Common Market under point IV.B.2.(c) of the Agricultural Guidelines.

If yes, note that the assessment of such aid is to be carried out on the basis of the Guidelines on National Regional aid. Please refer to the relevant part of the general notification form (Annex of Commission Regulation (EC) No 1627/2006⁽¹⁸⁾).

1.5. **Aid in regions NOT eligible for regional aid**

1.5.1. Are there beneficiaries, which are SMEs?

#	yes	#	no
---	-----	---	----

If yes, please refer to point 1.2. above [point IV.B.2 (a) of the Agricultural guidelines].

1.5.2. Are there beneficiaries, which are large companies (i.e. 750 employees or more and EUR 200 million turnover or more)?

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

#	yes	#	no
---	-----	---	----

If yes, please note that the aid cannot be declared compatible with the Common Market under point IV.B.2(d) of the Agricultural guidelines.

1.5.3. Are there beneficiaries, which are intermediate companies (i.e. less than 750 employees and/or less than EUR 200 million turnover)?

#	yes	#	no
---	-----	---	----

If yes, please refer to the relevant part of the general notification form (Annex of Commission Regulation (EC) No1627/2006) regarding the eligible expenses.

2. Aid intensity

2.1. If the beneficiaries are **SMEs** (Commission Regulation (EC) No 70/2001 or any provision replacing it):

Please state the maximum aid intensity for eligible investments in:

- 2.1.1. outermost regions: (max. 75 %)
- 2.1.2. smaller Aegean Islands⁽¹⁹⁾: (max. 65 %)
- 2.1.3. regions eligible under Art. 87(3)(a):(max. 50 %)
- 2.1.4. other regions: (max. 40 %)

If the rate is higher than the above ceiling, please note that the measure would not be in line with Art. 4 of Commission Regulation (EC) No 70/2001.

2.2. For aid falling under the Commission Regulation for regional investment aid **or** the Commission guidelines on national regional aid for 2007 to 2013 please specify the maximum aid intensity for:

2.2.1. *SMEs*:

2.2.1.1. regarding eligible investments in regions under Article 87(3)(a) of the Treaty: (max. 50 % or maximum amount determined in the regional map approved for the Member State concerned for the period 2007-2013)

2.2.1.2. regarding eligible investments in *other* regions eligible for regional aid: (max. 40 % or maximum amount determined in the regional map approved for the Member State concerned for the period 2007 to 2013)

2.2.2. *intermediate enterprises in the meaning of Article 28 (3) of Council Regulation No 1698/2005⁽²⁰⁾(not SME but with less than 750 employees or less than EUR 200 million turnover)*:

2.2.2.1. regarding eligible investments in regions eligible under Article 87(3)(a) of the Treaty: (max. 25 % or maximum amount determined in the regional map approved for the Member State concerned for the period 2007-2013)

2.2.2.2. regarding eligible investments in *other* regions eligible for regional aid: (max. 20 % or maximum amount determined in the regional map approved for the Member State concerned for the period 2007 to 2013)

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

If aid rates are higher than the above ceilings, please note that the measure would not be in line with point IV.B.2.(c)(ii) of the Agricultural Guidelines.

2.2.2.3. Do the beneficiaries fulfil all other conditions of Commission Recommendation 2003/361/EC⁽²¹⁾?

#	yes	#	no
---	-----	---	----

If no, the measure would not be in line with point IV.B.2.(c)(ii) of the Agricultural Guidelines.

2.2.3. Are there beneficiaries that are larger than the intermediate enterprises mentioned under point 2.2.2. (i.e. large enterprises)?

#	yes	#	no
---	-----	---	----

If yes, is the maximum aid intensity equal to or below the maximum amount determined in the regional aid map approved for the Member State concerned for the period 2007 to 2013?

#	yes	#	no
---	-----	---	----

If no, the aid cannot be declared compatible under point IV.B.2.(c) of the Agricultural Guidelines. If yes, please mention the maximum aid intensity in the aforementioned regional aid map. The relevant maximum aid intensity in the corresponding regional aid map is %.

2.3. For investment aid in favour of intermediate companies in regions **not** eligible for regional aid:

2.3.1. please specify the maximum aid intensity: (max. 20 %)

If aid rates are higher than the above ceilings, please note that the measure would not be in line with point IV.B.2.(d) of the Agricultural Guidelines.

2.3.2. Do the beneficiaries fulfil all other conditions of Commission Recommendation 2003/361/EC?

#	yes	#	no
---	-----	---	----

If no, the measure would not be in line with point IV.B.2.(d) of the Agricultural Guidelines.

3. Eligibility criteria & expenses

3.1. Does the aid concern the manufacture and marketing of products which imitate or substitute milk and milk products?

#	yes	#	no
---	-----	---	----

If you have answered yes, please note that the measure would not be in line with point IV.B. of the Agricultural Guidelines.

3.2. Regarding *intermediate or large* companies, does the aid concern the purchase of second-hand equipment?

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

#	yes	#	no
---	-----	---	----

If you have answered yes, please note that the measure would not be in line with point IV.B. of the Agricultural Guidelines.

3.3. For aid for investments in regions **not** eligible for regional aid:

Can you confirm that the eligibles expenses for investments correspond fully to the eligible expenses listed in the Commission guidelines on national regional aid for 2007 to 2013?

#	yes	#	no
---	-----	---	----

If no:

— *if the beneficiaries are not SME the measure would not be in line with point IV.B.2. (d) of the Agricultural Guidelines.*

— *if the beneficiaries are SME, are the eligible expenses in conformity with Articles 2 and 4 of Commission Regulation (EC) No 70/2001?*

#	yes	#	no
---	-----	---	----

If not, the measure would not be in line with point IV.B.2.(d) of the Agricultural Guidelines

3.4. Could the aid support investments for which a common market organisation, including direct support schemes, financed by the EAGF places restrictions on production or limitations on Community support at the level of individual farmers, holdings or processing plants which would increase production beyond those restrictions or limitations?

#	yes	#	no
---	-----	---	----

If yes, please note that point 47 of the agricultural guidelines does not allow aid for these investments.

4. **Other information**

4.1. Is the notification accompanied by documentation showing that that support is targeted on clearly defined objectives reflecting identified structural and territorial needs and structural disadvantages?

#	yes	#	no
---	-----	---	----

If yes, please provide that documentation hereunder or in an annex to this supplementary information sheet

.....

If not, please note that this documentation is requested in conformity with point 46 of the agricultural guidelines.

4.2. Is the notification accompanied by documentation demonstrating that the State aid measure fits into and is coherent with the relevant rural development programme(s) concerned?

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

#	yes	#	no
---	-----	---	----

If yes, please provide that documentation hereunder or in an annex to this supplementary information sheet

.....

If no, please note that this documentation must be provided under point 26 of the Guidelines.

5. Individual notifications

Could the eligible investments exceed EUR 25 million or the aid amount to EUR 12 million?

#	yes	#	no
---	-----	---	----

If yes, will an individual notification be done?

#	yes	#	no
---	-----	---	----

If you have answered no, please note that the measure would not be in line with point IV.B of the Agricultural Guidelines.

PART III.12.C

SUPPLEMENTARY INFORMATION SHEET ON AGRICULTURAL ENVIRONMENTAL AND ANIMAL WELFARE AID

This form must be used for the notification of any State aid measure to support agricultural production methods designed to protect the environment and to maintain the countryside (agri-environment) or to improve animal welfare covered by point IV.C. of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013⁽²²⁾ (hereinafter called 'the guidelines') and articles 39 and 40 of Council Regulation (EC) No 1698/2005⁽²³⁾.

— Does the measure concern compensation to farmers who **voluntarily** give agri-environmental commitments (Article 39(2) of Council Regulation (EC) No 1698/2005?

#	yes	#	no
---	-----	---	----

If yes, please refer to the part of this Supplementary Information Sheet (SIS) relating to 'aid for agri-environmental commitments'.

— Does the measure concern compensation to farmers who **voluntarily** enter into animal welfare commitments (Article 40(1) of Council Regulation (EC) No 1698/2005?

#	yes	#	no
---	-----	---	----

If yes, please refer to the part of this SIS relating to 'aid for animal welfare commitments'

— Does the aid only concern environmental **investments** (point 62 of the guidelines)?

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

#	yes	#	no
---	-----	---	----

— If yes, please refer to SIS relating to ‘*Investment aids in the agricultural sector*’
Does the environmental aid pursue other objectives such as **training** and **advisory services** to help agricultural producers (point IV.K of the guidelines)?

#	yes	#	no
---	-----	---	----

— If yes, please refer to SIS relating to point IV.K of the guidelines.
Others?

— Please provide a complete description of the measure(s)
Is documentation demonstrating that the State aid fits into and is coherent with the relevant Rural Development plan attached to the notification?

#	yes	#	no
---	-----	---	----

If yes, please provide that documentation hereunder or in an annex to this supplementary information sheet

.....

If no, please note that this documentation is requested in conformity with point 26 of the agricultural guidelines.

Aid for agri-environmental commitments (point IV.C.2 of the guidelines)

1. Objective of the measure

Which one of the following specific objectives does the support measure promote?

- # ways of using agricultural land which are compatible with the protection and improvement of the environment, the landscape and its features, natural resources, the soil and genetic diversity and reducing production costs;
- # an environmentally-favourable extensification of farming and management of low-intensity pasture systems, improve and redeployment of production ;
- # the conservation of high nature-value farmed environments, which are under threat, and increase quality;
- # the upkeep of the landscape and historical features on agricultural land;
- # the use of environmental planning in farming practice. If the measure does not pursue any of the above objectives, please indicate which are the objectives aimed at in terms of environmental protection? (Please submit a detailed description)

.....

.....

If the measure in question has already been applied in the past, what have been the results in terms of environmental protection?

.....

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

-
2. Eligibility criteria
- 2.1. Will the aid be granted to farmers and/or other land managers (Article 39(2) of Regulation (EC) No 1698/2005) who give agri-environmental commitments for a period of between five and seven years?

#	yes	#	no
---	-----	---	----

- 2.2. Will a shorter or a longer period be necessary for all or particular types of commitments?

#	yes	#	no
---	-----	---	----

In the affirmative please provide the reasons justifying that period

.....

- 2.3. Please confirm that no aid will be granted to compensate for agri-environmental commitments that do not go beyond the relevant mandatory standards established pursuant to Articles 4 and 5 of, and Annexes III and IV to Regulation (EC) No 1782/2003⁽²⁴⁾ as well as minimum requirements for fertiliser and plant protection product use and other relevant mandatory requirements established by national legislation and identified in the rural development programme.

#	yes	#	no
---	-----	---	----

If no, please note that Article 39(3) of Regulation (EC) No 1698/2005 does not allow for aid for agri-environmental commitments that do not involve more than the application of these standards and requirements.

- 2.4. Please describe what the abovementioned standards and requirements are and explain how the agri-environmental commitments involve more than their application.

.....

3. Aid amount

- 3.1. Please specify the maximum amount of aid to be granted based on the area of the holding to which agri-environmental commitments apply:

- # for specialised perennial crops (maximum payment of 900 EUR/ha)
- # for annual crops (maximum payment of 600 EUR/ha)
- # for other land uses (maximum payment of 450 EUR/ha)
- # local breeds in danger of being lost to farming (maximum payment of 200 EUR/live stock unit)
- # other

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

If the maximum amounts mentioned are exceeded please justify the compatibility of the aid with the provisions of Article 39(4) of Regulation (EC) No 1698/2005.

3.2. Is the support measure granted annually?

#	yes	#	no
---	-----	---	----

If no, please provide the reasons justifying other period

.....

.....

3.3. Is the amount of annual support calculated on the basis of:
— income foregone,
— additional costs resulting from the commitment given, and
— the need to provide compensation for transaction costs

#	yes	#	no
---	-----	---	----

Explain the calculation method used in fixing the amount of support and specify the income foregone, additional costs and possible transaction costs:

3.4. Is the reference level for calculating income foregone and additional cost resulting from the commitments given, the standards and requirements as mentioned above under point 2.3?

#	yes	#	no
---	-----	---	----

If no please explain the reference level taken into consideration

.....

.....

3.5. Are the payments made per unit of production?

#	yes	#	no
---	-----	---	----

If yes please explain the reasons justifying that method and the initiatives undertaken to ensure that the maximum amounts per year eligible for Community support as set out in the Annex to Regulation (EC) No 1698/2005 are complied with.

.....

.....

3.6. Do you intend to give aid for transaction costs for the continuation of agri-environmental commitments already undertaken in the past?

#	yes	#	no
---	-----	---	----

3.7. If yes, please demonstrate that such costs still continue to be incurred

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

.....

3.8. Do you intend to give aid for the costs of non-productive investments linked to the achievements of agri-environmental commitments (non-productive investments being investments which should not lead to a net increase in farm value or profitability)?

#	yes	#	no
---	-----	---	----

3.9. If yes, which aid rate will be applied (max. 100 %)?

...

AID FOR ANIMAL WELFARE COMMITMENTS (POINT IV.C.2 OF THE GUIDELINES)

1. Objective of the measure

For which of the following areas do the animal welfare commitments provide upgraded standards?

- # water and feed closer to their natural needs;
- # housing conditions such as space allowances, bedding, natural lights;
- # outdoor access;
- # absence of systematic mutilations, isolation or permanent tethering,
- # prevention of pathologies mainly determined by farming practices and/or keeping conditions.

(Please submit a detailed description)

.....

.....

If the measure in question has already been applied in the past, what have been the results in terms of animal welfare?

.....

2. Eligibility criteria

2.1. Will the aid be exclusively granted to farmers who give animal welfare commitments for a period of between five and seven years?

#	yes	#	no
---	-----	---	----

2.2. Will a shorter or a longer period be necessary for all or particular types of commitments?

#	yes	#	no
---	-----	---	----

In the affirmative please provide the reasons justifying that period

.....

.....

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

- 2.3. Please confirm that no aid will be granted to compensate for animal welfare commitments that do not go beyond the relevant mandatory standards established pursuant to Articles 4 and 5 of, and Annexes III and IV to, Regulation (EC) No 1782/2003⁽²⁵⁾ and other relevant mandatory requirements established by national legislation and identified in the rural development programme.

#	yes	#	no
---	-----	---	----

If no, please note that Article 40(2) of Regulation 1698/2005 does not allow for aid for animal welfare commitments that do not involve more than the application of these standards and requirements

- 2.4. Please describe what the abovementioned standards and requirements are and explain how the animal welfare commitments involve more than their application.

.....

.....

3. Aid amount

- 3.1. Please specify the maximum amount of animal welfare aid to be granted:

..... (maximum payment of EUR 500/live stock unit)

If the amount exceeds EUR 500/live stock unit, please justify its compatibility with the provisions of Article 40(3) of Regulation (EC) No 1698/2005

- 3.2. Is the support measure granted annually?

#	yes	#	no
---	-----	---	----

If no, please provide the reasons justifying other period

.....

.....

- 3.3. Is the amount of annual support calculated on the basis of:
- income foregone,
 - additional costs resulting from the commitment given, and
 - the need to provide compensation for transaction costs ?

#	yes	#	no
---	-----	---	----

Explain the calculation method used in fixing the amount of support and specify the income foregone, additional costs, possible transaction costs and possible costs of any non remunerative capital works:

.....

.....

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

- 3.4. Is the reference level for calculating income foregone and additional cost resulting from the commitments given, the standards and requirements as mentioned above under point 2.3?

#	yes	#	no
---	-----	---	----

If no please explain the reference level taken into consideration

.....

.....

- 3.5. Are the payments made per livestock unit?

#	yes	#	no
---	-----	---	----

If no, please explain the reasons justifying the method chosen as well as the initiatives undertaken to ensure that the maximum amounts per year eligible for Community support as set out in the Annex to Regulation (EC) No 1698/2005 are complied with.

- 3.6. Do you intend to give aid for transaction costs for the continuation of animal welfare commitments already undertaken in the past?

#	yes	#	no
---	-----	---	----

- 3.7. If yes, please demonstrate that such costs still continue to be incurred

.....

- 3.8. Do you intend to give aid for the costs of non-productive investments linked to the achievements of agri-environmental commitments (non-productive investments being investments which should not lead to a net increase in farm value or profitability)?

#	yes	#	no
---	-----	---	----

- 3.9. If yes, which aid rate will be applied (max. 100 %)?

...

PART III 12 Cbis

SUPPLEMENTARY INFORMATION SHEET ON AID CONCERNING NATURA 2000 PAYMENTS AND PAYMENTS LINKED TO DIRECTIVE 2000/60/EC

This form must be used by Member State to notify aids under Natura 2000 payments and payments linked to Directive 2000/60/EC⁽²⁶⁾, as dealt with in Part IV.C.3 of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013⁽²⁷⁾.

1. objective of the measure

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

- 1.1. Is the measure aimed to compensate farmers for costs incurred and income foregone resulting from disadvantages in the areas concerned related to the implementation of Directives 79/409/EEC⁽²⁸⁾, 92/43/EEC⁽²⁹⁾ and 2000/60/EC?

#	Yes	#	No
---	-----	---	----

- 1.1.1. *If no, please note that Part IV.C.3 of the Agricultural Guidelines does not allow for aid to compensate for costs other than those related to the disadvantages related to the implementation of Directives 79/409/EEC, 92/43/EEC and 2000/60/EC.*

2. Eligibility criteria

- 2.1. Are costs incurred and income foregone resulting from disadvantages in the areas concerned related to the implementation of Directives 79/409/EEC, 92/43/EEC and 2000/60/EC?

#	Yes	#	No
---	-----	---	----

- 2.1.1. *If yes please provide all the details concerning the relevant provisions of the Directive(s) in question*

.....
.....

- 2.1.2. *If no, please note that Part IV.C.3 of the Agricultural Guidelines does not allow for aid to compensate for other costs than those resulting from disadvantages related to the implementation of Directives 79/409/EEC, 92/43/EEC and 2000/60/EC.*

- 2.2. Are the planned compensation payments necessary to solve specific problems arising from the Directive(s)?

#	Yes	#	No
---	-----	---	----

- 2.2.1. *If yes please explain why this measure is necessary*

.....
.....

- 2.2.2. *If no, please note that according to Part IV.C.3 of the Agricultural Guidelines only payments that are necessary to solve specific problems arising from these Directives can be authorised*

- 2.3. Is the support granted only for obligations going beyond cross compliance obligations?

#	Yes	#	No
---	-----	---	----

- 2.3.1. *If no, please justify its compatibility with the provisions of Part IV.C.3 of the Agricultural Guidelines*

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

.....

.....

2.4. Is the support granted for obligations going beyond conditions set out by Article 5 of Council Regulation (EC) No 1782/2003⁽³⁰⁾?

#	Yes	#	No
---	-----	---	----

2.4.1. *If no, please justify its compatibility with the provisions of Part IV.C.3 of the Agricultural Guidelines*

.....

.....

2.5. Is the aid granted in breach of the polluter pays principle?

#	Yes	#	No
---	-----	---	----

2.5.1. *If yes, please provide all elements justifying its compatibility with the provisions of Part IV.C.3 of the Agricultural Guidelines and that it is exceptional, temporary and degressive*

.....

.....

3. Aid amount

3.1. Please specify the maximum amount of aid, based on the utilised agricultural area (UAA):

..... (initial maximum Natura 2000 payment for a period not exceeding five years of 500 EUR/hectare of UAA)

..... (normal maximum Natura 2000 payment of 200 EUR/hectare of UAA)

..... (maximum amount of support linked to Directive 2000/60/EC is fixed in accordance with the procedure referred to in Article 90(2) of Regulation (EC) No 1698/2005)

3.1.1 *With regard to payments linked to Directive 2000/60/EC please provide additional information.*

.....

.....

3.1.2. *If you intend to grant a higher amount of aid, please justify its compatibility with the provisions of Part IV.C.3 of the Agricultural Guidelines and Article 38 of Regulation (EC) No 1698/2005⁽³¹⁾.*

.....

.....

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

- 3.2. Please explain the measures taken to ensure that payments are fixed at a level which avoids overcompensation

.....

.....

4. Other Information

Is documentation demonstrating that the State aid fits into and is coherent with the relevant Rural Development plan attached to the notification?

#	yes	#	no

If yes, please provide that documentation hereunder or in an annex to this supplementary information sheet

.....

If no, please note that this documentation is requested in conformity with point 26 of the agricultural guidelines.

PART III.12.D

SUPPLEMENTARY INFORMATION SHEET ON AID TO COMPENSATE FOR HANDICAPS IN CERTAIN AREAS

This form must be used for the notification of aid aiming to compensate for natural handicaps in certain areas, which is dealt with in point IV.D. of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013⁽³²⁾.

1. Questions relevant for all notifications of aid to compensate for handicaps in certain areas

1. Describe the handicap in question:

.....

.....

.....

.....

.....

.....

.....

.....

2. Provide proof that the amount of compensation to be paid avoids any overcompensation to farmers of the effect of the handicaps:

.....

Status: Point in time view as at 19/01/2007.

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)*

.....
.....
.....
.....
.....
.....
.....

3. If there are areas of handicaps where the average impact of handicaps per hectare of comparable farms differs, demonstrate that the level of compensatory payments is proportionate to the economic impact of the handicaps in the different areas:

.....
.....
.....
.....
.....
.....
.....
.....

4. Is it within human control to reverse the economic impact of the permanent handicap?

#	yes	#	no
---	-----	---	----

If yes, please note that only the economic impact of permanent handicaps that lie outside of human control may be taken into account for calculating the amount of compensatory payments. Structural disadvantages open to improvement through modernisation of farms or factors like taxes, subsidies or the implementation of the CAP reform may not be taken into account.

If no, explain why it is outside human control to reverse the economic impact of the permanent handicap:

.....
.....
.....

Could you specify the size of the farms that will benefit from these payments?

.....

5. Is the amount of compensation established by comparing the average income per hectare of farms in areas with handicaps with the income of same-sized farms producing the same products in areas without handicaps situated in the same Member State, or when a whole Member State is considered as consisting of areas with

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

handicaps, with the income of same-sized farms in similar areas in other Member States in which the production conditions can be meaningfully compared to those in the first Member State? The income to be taken into account in this respect shall be direct income from farming and notably leave aside taxes paid or subsidies received.

#	yes	#	no
---	-----	---	----

Describe how the comparison was made:

.....
.....
.....
.....
.....
.....
.....

6. Is the aid measure combined with support under Articles 13, 14 and 15 of the Council Regulation (EC) No 1257/1999⁽³³⁾?

#	yes	#	no
---	-----	---	----

7. Can you confirm that the total support granted to the farmer will not exceed the amount determined in accordance with Article 15 of Regulation (EC) No 1257/1999?

#	yes	#	no
---	-----	---	----

Specify the amount

If no, please note that, according to point 72 of the Agricultural Guidelines, the maximum aid that can be granted in the form of compensatory allowance cannot exceed the above amount.

8. Does the measure provide that the following eligibility criteria must be fulfilled?

Farmers are required to farm a minimum area of land (please specify the minimum area)

.....
Farmers must undertake to pursue their farming activity in a less-favoured area for at least five years from the first payment of a compensatory allowance;

Farmers must apply the relevant mandatory standards established pursuant to Articles 4 and 5 of, and Annexes III and IV to, Regulation (EC) No 1782/2003⁽³⁴⁾ as well as minimum requirements for fertiliser and plant protection product use and other mandatory requirements established by national legislation and identified in the rural development programme

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

#	yes	#	no
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9. Does the measure provide that, in the event of obstruction on the part of the owner or holder of the animals when inspections are being carried out and the necessary samples are being taken in application of national residue-monitoring plans, or when the investigations and checks provided for under Directive 96/23/EC are being carried out, the penalties provided for under question 4 shall apply?

#	yes	#	no
---	-----	---	----

10. In case of aid schemes still in force at the date of the entry into force of Articles 37 and 88(3) of Council Regulation (EC) No 1698/2005⁽³⁵⁾, will the aid scheme be amended to comply with the provisions of those articles as from that date?

#	yes	#	no
---	-----	---	----

If no, please note that from the entry into force of Articles 37 and 88 (3) of the abovementioned regulation new rules will be applied to measures aiming to compensate for natural handicaps in certain areas and that aid measures that do not fulfil all the criteria of these Articles and any implementing rules adopted by the Council or the Commission will have to be put to an end.

2. Other Information

Is documentation demonstrating that the State aid fits into and is coherent with the relevant Rural Development plan attached to the notification?

#	yes	#	no
---	-----	---	----

If yes, please provide that documentation hereunder or in an annex to this supplementary information sheet

.....

If no, please note that this documentation is requested in conformity with point 26 of the agricultural guidelines

PART III.12.E

SUPPLEMENTARY INFORMATION SHEET ON AID FOR MEETING STANDARDS

This information sheet relates to investments in agricultural holdings discussed in point IV.E of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013⁽³⁶⁾.

1. Does the planned aid apply only to primary producers (farmers)?

#	yes	#	no
---	-----	---	----

2. Are the new standards based on Community standards?

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

#	yes	#	no
---	-----	---	----

3. If no, will the aid be limited to expenses resulting from standards likely to create a genuine competition handicap for the farmers involved?

#	yes	#	no
---	-----	---	----

4. Please demonstrate this handicap on the basis of mean net profit margins for average agricultural holdings in the (sub-)sector involved:

.....

5. Is the aid farmers are entitled to over a period of five years for costs or loss of income incurred as a result of applying one or more standards to be provided on a diminishing scale and limited to a total of EUR 10 000?

#	yes	#	no
---	-----	---	----

6. Please describe the diminishing scale of the aid:

...

7. If the total of EUR 10 000 is exceeded: is the aid limited to 80 % of costs and loss of income incurred by farmers, and to EUR 12 000 per agricultural holding, and is account taken of any Community aid provided?

#	yes	#	no
---	-----	---	----

8. Does the aid pertain to standards which can be shown to be the direct cause of:
— an increase in the operating costs of at least 5 % for the product or products affected by the standard?

#	yes	#	no
---	-----	---	----

- a loss of income equal to at least 10 % of net profits derived from the product or products affected by the standard?

#	yes	#	no
---	-----	---	----

9. Please demonstrate the abovementioned parameters (*please note that they must be calculated for an average agricultural holding in the sector and in the Member State affected by the standard*):

.....

10. Does the aid apply only to standards resulting in an increase in operating costs or loss of income equal to at least 25 % of all agricultural holdings of the (sub-) sector in the Member State concerned?

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

#	yes	#	no
---	-----	---	----

11. Is the notification accompanied by documentation demonstrating how the State aid measure is consistent with the relevant rural development programme(s) concerned?

#	yes	#	no
---	-----	---	----

If yes, please provide this documentation below or in an annex to this supplementary information sheet

.....

If no, please note that this documentation must be provided under point 26 of the Guidelines

PART III.12.F

SUPPLEMENTARY INFORMATION SHEET ON AID FOR THE SETTING UP OF YOUNG FARMERS

This notification form applies to aid granted for the setting up of young farmers, as dealt with in chapter IV.F of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013⁽³⁷⁾.

1. Eligibility Criteria

Please note that State aid for the setting up of young farmers may only be granted if it fulfils the same conditions set out in the Rural Development Regulation⁽³⁸⁾ for co-financed aid, and in particular the eligibility criteria of Article 22 thereof.

1.1. Is the support measure granted only to primary production ?

#	yes	#	no
---	-----	---	----

If no, please note that according to point 82 of the Guidelines, the support may not be granted for activities other than primary production.

1.2. Are the following conditions fulfilled?

- the farmer is under 40 years of age ;
- the farmer possesses adequate occupational skills and competence ;
- the farmer is setting up on an agricultural holding as head of the holding for the first time ;
- the farmer submitted a business plan for the development of his/her farming activity;

#	yes	#	no
---	-----	---	----

If you answered no to any of these questions, please note that the measure would not be in line with the requirements of Article 22 of the Rural Development Regulation and could not be authorised under the Guidelines.

1.3. Does the measure provide that the above eligibility requirements must be met at the time the individual decision to grant support is taken?

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

#	yes	#	no
---	-----	---	----

1.4. Does the measure comply with existing Community or national standards?

#	yes	#	no
---	-----	---	----

1.4.1. If not, is the aim to comply with existing Community or national standards identified in the submitted business plan?

#	yes	#	no
---	-----	---	----

1.4.2. Does the period of grace within which the standard needs to be met exceed 36 months from the date of setting up?

#	yes	#	no
---	-----	---	----

2. Maximum allowable aid

2.1. Is the setting up support granted in the form of

a single premium? (max. EUR 40 000)
(please specify the amount)

.....

and/or
an interest rate subsidy? (max. capitalised value of EUR 40 000)

If yes, please describe the conditions of the loan — interest rate, duration, period of grace, etc.)

.....

2.2. Can you confirm that the aid combined with the support granted under the Rural Development Regulation will not exceed EUR 55 000 and the maximum amounts laid down for either form of aid (EUR 40 000 for single premium; EUR 40 000 for subsidised loan) will be respected?

#	yes	#	no
---	-----	---	----

3. Other Information

Is documentation demonstrating that the State aid fits into and is coherent with the relevant Rural Development plan attached to the notification?

#	yes	#	no
---	-----	---	----

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

If yes, please provide that documentation hereunder or in an annex to this supplementary information sheet

.....

If no, please note that this documentation is requested in conformity with point 26 of the agricultural guidelines.

PART III.12.G

SUPPLEMENTARY INFORMATION SHEET FOR AID FOR EARLY RETIREMENT OR FOR THE CESSATION OF FARMING ACTIVITIES

This form must be used for the notification of any State aid schemes which are designed to encourage older farmers to take early retirement as described by chapter IV.G of the Community Guidelines for State aid in the agricultural and forestry sector 2007 to 2013⁽³⁹⁾.

1. Types of aid

1.1. Is the support measure granted only to primary production?

#	yes	#	no
---	-----	---	----

If no, please note that according to point 85 of the Guidelines, the support may not be granted for other activities than primary production.

1.2. Is the early retirement support granted:

to farmers who decide to stop their agricultural activity for the purpose of transferring the holdings to other farmers?

to farm workers who decide to stop all farming work definitively upon the transfer of the holding?

Please describe the envisaged measures:

.....

2. Eligibility criteria

2.1. Will the aid be exclusively granted when the *transferor* of the farm,

— stops all commercial farming activity definitively,

— is not less than 55 years old but not yet of normal retirement age at the time of transfer or not more than 10 years younger than the normal retirement age in the Member State concerned at the time of transfer and

— has practised farming for the 10 years preceding transfer?

#	yes	#	no
---	-----	---	----

If no please note that according to point 87 of the Guidelines combined with article 23 of Council Regulation No 1698/2005⁽⁴⁰⁾, no aid can be authorised if the transferor does not fulfil all those conditions.

2.2. Will the aid be exclusively granted when the *transferee* of the farm:

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

- succeeds the transferor by setting up as a young farmer as provided for in Article 22 of Council Regulation No 1698/2005, is less than 40 years of age and is setting up for the first time on an agricultural holding as head of the holding, possesses adequate occupational skills and competence and submits a business plan for the development of his farming activities, or
- is a farmer of less than 50 years old or a private law body and takes over the agricultural hold released by the transferor to increase the size of the agricultural holding?

#	yes	#	no
---	-----	---	----

If no, please note that according to point 87 of the Guidelines combined with Article 23 of Council Regulation (EC) No 1698/2005 no aid can be authorised if the transferee does not fulfil all those conditions.

- 2.3. When the aid planned for early retirement support includes measures to provide an income for *farm workers*, please confirm that no aid will be granted if the worker does not fulfil all the following conditions:
- stop all farm work definitively upon the transfer of the holding,
 - be not less than 55 years old but not yet of normal retirement age or more than 10 years younger than the normal retirement age in the Member State concerned,
 - have devoted at least half of his working time as a family helper or farm worker to farm work during the preceding five years,
 - have worked on the transferor's agricultural holding for at least the equivalent of two years full-time during the four-year period preceding the early retirement of the transferor, and
 - belong to a social security scheme.

#	yes	#	no
---	-----	---	----

Please note that according to point 87 of the Guidelines and Article 23 of Council Regulation (EC) No 1698/2005, no aid can be authorised to provide an income for farm workers if they do not fulfil all those conditions.

3. Aid amount

- 3.1. Is the aid measure combined with support under the Rural Development Regulation?

#	yes	#	no
---	-----	---	----

- 3.1.1. If yes, please provide a brief description of the modalities and amount of such co-financed support

.....
.....

- 3.2. Please specify what is the maximum amount of aid to be granted per transferor:

..... per transferor and year (maximum annual amount of EUR 18 000/transferor and maximum total amount of EUR 180 000/transferor)

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

If the maximum amounts are not respected please justify its compatibility with the provisions of point 87 of the Guidelines. Please note that the Guidelines allow for support going above the maximum amounts set out in the Regulation provided that the Member State demonstrates that such payment is not passed on to active farmers.

3.3. Please specify what is the maximum amount of aid to be granted per worker:

..... per worker and year (maximum annual amount of EUR 4 000/worker and maximum total amount of EUR 40 000/worker)

If the maximum amounts are not respected please justify its compatibility with the provisions of point 87 of the Guidelines. Please note that the Guidelines allow for support going above the maximum amounts set out in the Regulation provided that the Member State demonstrates that such payment is not passed on to active farmers.

3.4. Does the transferor receive a normal retirement pension paid by the Member State?

#	yes	#	no
---	-----	---	----

3.4.1. If yes, is the planned early retirement support granted as a supplement taking into account the amount of the national retirement pension?

#	yes	#	no
---	-----	---	----

If no, please note that point 87 of the Guidelines combined with Article 23 of Council Regulation (EC) No 1698/2005 requires that the amount paid as a normal retirement pension is taken into account in the calculation of the maximum amounts to be granted under the early retirement schemes.

4. Duration

4.1. Can it be assured that duration of planned early retirement support shall not exceed a total period of 15 years for the transferor and for the farm worker and that, at the same time, it shall not go beyond the 70th birthday of a transferor and not go beyond the normal retirement age of a worker?

#	yes	#	no
---	-----	---	----

If no, please note that point 87 of the Guidelines combined with Article 23 of Council Regulation (EC) No 1698/2005 does not allow for aid if all those requirements are not assured in the planned scheme.

PART III 12.III.H

SUPPLEMENTARY INFORMATION SHEET ON AID TO PRODUCER GROUPS

This form must be used for the notification of any State aid measures meant to provide aid to producer groups as described by chapter IV.H. of the Community Guidelines for State aid in the agricultural and forestry sector 2007 to 2013⁽⁴¹⁾

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

1. Type of aid

1.1. Does the aid concern start-up aid to newly established producer groups?

#	yes	#	no
---	-----	---	----

1.2. Does the aid concern start-up aid to newly established producer associations (i.e. a producer association consists of recognised producer groups and pursues the same objectives on a larger scale)?

#	yes	#	no
---	-----	---	----

1.3. Is the aid granted towards eligible expenses limited to and resulting from a year-on-year increase in turnover of the beneficiary by at least 30 % due to the accession of new members and/or the coverage of new products?

#	yes	#	no
---	-----	---	----

1.3.1. If yes, how much is the increase in turnover of the beneficiary?

1.3.2. Is the increase in turnover of the beneficiary due to

- # the accession of new members
the coverage of new products
both

1.4. Is aid granted to cover the start-up costs of associations of producers, which are responsible for the supervision of the use of geographical indications and designations of origin or quality marks in conformity with Community law?

#	yes	#	no
---	-----	---	----

1.5. Is the aid granted to other producer groups or associations, which undertake tasks at the level of agricultural production, such as mutual support and farm relief and farm management services, in the members' holdings without being involved in the joint adaptation of supply to the market?

#	yes	#	no
---	-----	---	----

If yes, please note that aid to these groups or associations is not covered by chapter IV.H. of the Guidelines. Please refer to the relevant legal basis.

.....

1.6. Is aid granted to producer groups or associations to cover expenses, which are not linked to setting-up costs, such as investments or promotion activities?

#	yes	#	no
---	-----	---	----

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

If yes, the aid will be assessed in accordance with the specific rules governing such aids. Please refer to the relevant sections of the notification form.

- 1.7. In case of an aid scheme, can you confirm that it will be adjusted to take account any change in the regulations governing the common organisations of the market?

#	yes	#	no
---	-----	---	----

- 1.8. Is aid granted directly to producers to offset their contributions to the cost of running the groups or associations during the first five years following the formation of the group or association?

#	yes	#	no
---	-----	---	----

- 1.8.1. If yes, will the overall amount granted directly to producers respect the limit for maximum support (EUR 400 000)?

#	yes	#	no
---	-----	---	----

2. Beneficiary

- 2.1. Is the start-up aid granted exclusively to small and medium-sized enterprises?

#	yes	#	no
---	-----	---	----

- 2.2. Is start-up aid granted to producer groups or producer associations which are entitled to assistance under the legislation of the Member State concerned?

#	yes	#	no
---	-----	---	----

If the answer is no, please refer to Article 9(2) of Commission Regulation (EC) No ...⁽⁴²⁾.

- 2.3. Is the aid granted only if all the following rules are respected:

— The obligation on members to market production in accordance with the rules on supply and placing on the market, drawn up by the group or association (the rules may permit a proportion of the production to be marketed directly by the producer);

#	yes	#	no
---	-----	---	----

— the obligation for producers joining the group or the association to remain members for at least three years and give at least 12 months notice of withdrawal;

#	yes	#	no
---	-----	---	----

— common rules on production, in particular relating to product quality, or use of organic practices, common rules for placing goods on the market and rules on product information, with particular regard to harvesting and availability?

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

#	yes	#	no
---	-----	---	----

If any of the answers to Section 2.3 above is no, please refer to Article 9(2) of Commission Regulation (EC) No 1857/2006 for the list of eligibility criteria for support to producer groups or associations.

- 2.4. Does the producer group or association comply fully with all relevant provisions of competition law, in particular Articles 81 and 82 of the Treaty?

#	yes	#	no
---	-----	---	----

- 2.5. Does the aid measure/scheme clearly exclude production organisations such as companies or co-operatives the objective of which is the management of one or more agricultural holdings and which are therefore in effect single producers?

#	yes	#	no
---	-----	---	----

If no, please note that, according to Article 9(5) of Commission Regulation (EC) No 1857/2006, producers should remain responsible for managing their holdings.

- 2.6. Does the aid measure/scheme clearly exclude any aid to producer groups or associations the objectives of which are incompatible with a Council regulation setting up a common market organisation?

#	yes	#	no
---	-----	---	----

If no, please note that, under Article 9(8) of Commission Regulation (EC) No 1857/2006, under no circumstances can the Commission approve an aid which is incompatible with the provisions governing a common organisation of the market or which would interfere with the proper functioning of the common organisation

3. Aid intensity and eligible costs

- 3.1. Can you confirm that the total amount of aid granted to a producer group or association will not exceed EUR 400 000?

#	yes	#	no
---	-----	---	----

- 3.2. Does the aid measure/scheme clearly exclude that aid is paid in respect of costs incurred after the fifth year?

#	yes	#	no
---	-----	---	----

- 3.3. Does the aid measure/scheme clearly exclude that aid is paid following the seventh year after recognition of the producer organisation?

#	yes	#	no
---	-----	---	----

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

If the answer to any of the questions of point 3.2 and 3.3 above is no, please note that Article 9(4) of Commission Regulation (EC) No 1857/2006 clearly excludes aid for costs incurred after the fifth year and aid paid after the seventh year after recognition of the producer organisation.

- 3.4. Do the eligible expenses, both in case of aid granted to producers groups or associations and in case of aid granted directly to producers, include only:
- the rental of suitable premises, or
 - the purchase of suitable premises (the eligible expenses are limited to rental costs at market rates),
 - the acquisition of office equipment, including computer hardware and software, administrative staff costs, overheads and legal and administrative fees?

#	yes	#	no
---	-----	---	----

If the answer is no, please refer to the list of eligible expenses set in Article 9(3) of Commission Regulation (EC) No 1857/2006.

PART III.12.I

SUPPLEMENTARY INFORMATION SHEET ON AID FOR LAND RE-PARCELLING

This form must be used for the notification of any State aid schemes designed to cover the legal and administrative costs, including survey costs, of re-parcelling as described by Chapter IV.I of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013⁽⁴³⁾.

1. Is the aid measure part of a general programme of land re-parcelling operations undertaken in accordance with the procedures laid down by the legislation of the Member State concerned?

#	yes	#	no
---	-----	---	----

2. Do the eligible expenses include exclusively the legal and administrative costs, including survey costs, of re-parcelling ?

#	yes	#	no
---	-----	---	----

If the eligible expenses also cover other items, please note that Article 13 of Regulation (EC) No 1857/2006 authorises only the eligible expenses indicated.

3. What is the planned rate of aid (max. 100 %)? ...

PART III.12.J

SUPPLEMENTARY INFORMATION SHEET ON AID TO ENCOURAGE THE PRODUCTION AND MARKETING OF QUALITY AGRICULTURAL PRODUCTS

This form must be used for the notification of any State aid measures which are designed to encourage the production and marketing of quality agricultural products as described by

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

chapter IV.J of the Community Guidelines for State aid in the agricultural and forestry sector 2007 to 2013⁽⁴³⁾

(A) PRIMARY PRODUCERS (FARMERS)

1. Type of products

1.1. Does the aid only refer to quality products fulfilling the criteria to be defined pursuant to Article 32 of Regulation (EC) No 1698/2005⁽⁴⁴⁾?

#	yes	#	no
---	-----	---	----

If the aid does not concern quality products please note that, under Chapter IV.J of the Agricultural Guidelines, aid is limited to quality agricultural products.

2. TYPE OF AIDS

2.1. Which of the following types of aid can be financed by the aid scheme/individual measure?

- # market research activities, product conception and design;
- # aids granted for the preparation of applications for recognition of denominations of origin or certificates of specific character in accordance with the relevant Community regulations;
- # consultancy and similar support for the introduction of quality assurance schemes such as the ISO 9000 or 14000 series, systems based on hazard analysis and critical control points (HACCP), traceability systems, systems to assure respect of authenticity and marketing norms or environmental audit systems;
- # the costs of training personnel for the introduction of quality assurance schemes such as ISO 9000 or 14000 series, systems based on hazard analysis and critical control points (HACCP), traceability systems, systems to assure respect of authenticity and marketing norms or environmental audit systems;
- # the costs of the charges levied by recognised certifying bodies for the initial certification of quality assurance and similar systems;
- # the costs of compulsory control measures undertaken pursuant to Community or national legislation by or on behalf of the competent authorities, unless Community legislation requires enterprises to bear such costs;
- # the costs for participation in measures referred to in article 14(2)(f) of Regulation No 1857/2006⁽⁴⁵⁾, provided that:
 - (a) only agricultural products for human consumption are covered;
 - (b) it concerns a Community food quality scheme or a food quality scheme recognised by a Member State complying with the precise criteria established according to Article 32(1)(b) of Regulation 1698/2005;
 - (c) the annual incentive payment whose level is determined according to the level of the fixed costs arising from the participation in such schemes for a maximum duration of five years.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

(d) the support is limited to EUR 3 000 per year and holding.

Note: Schemes whose sole purpose is to provide a higher level of control of respect of obligatory standards under Community or national law shall not be eligible for support.

2.2. Does the aid measure include investments, which are necessary to upgrade production facilities?

#	yes	#	no
---	-----	---	----

If yes, please refer to chapter IV.A of the Agricultural Guidelines.

2.3. Are the controls undertaken by or on behalf of third parties, such as:

- # the competent regulatory authorities or bodies acting on their behalf;
- # independent organisms responsible for the control and supervision of the use of denominations of origin, organic labels, or quality labels;
- # others (please specify, indicating how the independence of the control body is assured)

.....

.....

2.4. Does Community legislation provide that the cost of control is to be met by producers, without specifying the actual level of charges?

#	yes	#	no
---	-----	---	----

3. Beneficiaries

3.1. Who are the beneficiaries of the aid?

- # farmers;
- # producer groups
- # other (please specify)

.....

3.2. Are large companies excluded as beneficiaries?

#	yes	#	no
---	-----	---	----

3.3. With the exception of support for the participation in measures referred to in Article 14(2)(f) of Regulation No 1857/2006, are direct payments of money to producers excluded?

#	yes	#	no
---	-----	---	----

3.3.1. Is the aid available to all the farmers eligible in the area concerned based on objectively defined conditions?

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

#	yes	#	no
---	-----	---	----

3.3.2. Does the aid measure exclude compulsory membership of the producers group/organisation or intermediate entity managing the aid in order to benefit from aid?

#	yes	#	no
---	-----	---	----

3.3.3. Is the contribution towards the administrative costs of the group or organisation concerned limited to the costs of providing the service?

#	yes	#	no
---	-----	---	----

4. **Aid Intensity**

4.1. Please state the maximum rate of public support of the following measures:

- (a); market research activities, product conception and design (max. 100 %);
- (b); aids granted for the preparation of applications for recognition of denominations of origin or certificates of specific character in accordance with the relevant Community regulations (max. 100 %);
- (c); consultancy and similar support for the introduction of quality assurance schemes such as the ISO 9000 or 14000 series, systems based on hazard analysis and critical control points (HACCP), traceability systems; systems to assure respect of authenticity and marketing norms or environmental audit systems (max. 100 %);
- (d); the costs of training personnel for the introduction of quality assurance schemes such as ISO 9000 or 14000 series, systems based on hazard analysis and critical control points (HACCP), traceability systems, systems to assure respect of authenticity and marketing norms or environmental audit systems (max. 100 %);
- (e); the cost of the charges levied by recognised certifying bodies for the initial certification of quality assurance and similar systems (max. 100 %);
- (f); the costs of compulsory control measures undertaken pursuant to Community or national legislation by or on behalf of the competent authorities, unless Community legislation requires enterprises to bear such costs;
- (g); the costs for participation in measures referred to in Article 14(2)(f) of Regulation No 1857/2006.

(B) COMPANIES ACTIVE IN THE PROCESSING AND MARKETING OF AGRICULTURAL PRODUCTS

1. **Type of products**

1.1. Does the aid only refer to quality products fulfilling the criteria to be defined pursuant to Article 32 of Regulation (EC) No 1698/2005?

#	yes	#	no
---	-----	---	----

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

If the aid does not concern quality products please note that, under Chapter IV.J of the Agricultural Guidelines, aid is limited to quality agricultural products.

2. TYPE OF AIDS AND ELIGIBLE COSTS

2.1. Are eligible costs limited to:

- # costs for services provided by outside consultants and other services providers; in particular:
- # market research activities
 - # product conception and design
 - # applications for recognition of certificates of specific character in accordance with the relevant Community regulations
 - # the introduction of quality assurance schemes such as the ISO 9000 or 14000 series, systems based on hazard analysis and critical control points (HACCP), traceability systems, systems to assure respect of authenticity and marketing norms or environmental audit systems
 - # other (please specify)
-
-

Please note that such services should not be a continuous or periodic activity nor relate to the enterprise's usual operating expenditure, such as routine tax consultancy services, regular legal service or advertising.

2.2. Please indicate the maximum aid intensity expressed in gross terms:

If the aid intensity exceeds 50 % gross please indicate in detail why this aid intensity should be necessary:

.....

2.3. Please indicate the maximum ceiling for cumulated aid:

.....

.....

3. Beneficiaries

3.1. Who are the beneficiaries of the aid?

- # companies active in the processing and marketing of agricultural products
 - # producer groups active in the processing and marketing of agricultural products
 - # other (please specify)
-

3.2. Are large companies excluded as beneficiaries?

#	yes	#	no
---	-----	---	----

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

4. Necessity of the aid

4.1 Does the aid foresee that any application for aid must be submitted before work on the project is started?

#	yes	#	no
---	-----	---	----

4.2. If not has the Member State adopted legal provisions establishing a legal right to aid according to objective criteria, and without further exercise of discretion by the Member States?

#	yes	#	no
---	-----	---	----

PART III.12.K

SUPPLEMENTARY INFORMATION SHEET ON AID FOR THE PROVISION OF TECHNICAL SUPPORT IN THE AGRICULTURE SECTOR

This form must be used for the notification of any State aid measure whose aim is the provision of technical support in the agricultural sector as described by chapter IV.K of the Community Guidelines for State aid in the agricultural and forestry sector 2007 to 2013⁽⁴⁶⁾

1. TYPE OF AIDS

A. AID TO PRIMARY PRODUCERS

1.1. Which of the following types of aid can be financed by the aid scheme/individual measure:

- # education and training of farmers and farm workers;
- # provision of farm replacement services;
- # consultancy services provided by third parties;
- # organisation and participation in forums to share knowledge between businesses, in competitions, exhibitions and fairs;
- # vulgarisation of scientific knowledge,

For this aid, can you confirm that individual companies, brands or — except for products covered by Council Regulation (EC) No 510/2006⁽⁴⁷⁾ and by Articles 54 to 58 of Council Regulation (EC) No 1493/99 of 17 May 1999 on the common market in wine⁽⁴⁸⁾, provided that the references correspond exactly to those references which have been registered by the Community — origin are not named?

#	yes	#	no
---	-----	---	----

factual information on quality systems open to products from other countries, on generic products and on the nutritional benefits of generic products and suggested uses for them;

For this aid, can you confirm that individual companies, brands or — except for products covered by Council Regulation (EC) No 510/2006⁽⁴⁷⁾ and by Articles 54 to 58 of Council Regulation (EC)

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

No 1493/99 of 17 May 1999 on the common market in wine, provided that the references correspond exactly to those references which have been registered by the Community — origin are not named?

#	yes	#	no
#	publications such as catalogues or websites presenting factual information about producers from a given region or producers of a given product.		

For this aid, can you confirm that the information and presentation is neutral and that all producers concerned have equal opportunities to be represented in the publication?

#	yes	#	no
---	-----	---	----

1.2. Please describe the envisaged measures:

.....

1.3. Will the aid for the abovementioned measures be granted in favour of large companies?

#	yes	#	no
---	-----	---	----

If yes, please note that according to point 106 of the Guidelines, the Commission will not authorise State aid for abovementioned measures in favour of large companies.

B. AID TO COMPANIES ACTIVE IN THE PROCESSING AND MARKETING OF AGRICULTURAL PRODUCTS.

1.4. Which of the following types of aid can be financed by the aid scheme/individual measure:

- # services provided by outside consultants not being continuous or periodic activity and not related to the enterprise's usual operating expenditure;
- # first participation in fairs and exhibitions.

Please describe the envisaged measures:

.....

1.5. Will the aid for the abovementioned measures be granted in favour of large companies?

#	yes	#	no
---	-----	---	----

If yes, please note that according to point 106 of the Guidelines, the Commission will not authorise State aid for abovementioned measures in favour of large companies.

C. AID TO PRIMARY PRODUCERS AND COMPANIES ACTIVE IN THE PROCESSING AND MARKETING OF AGRICULTURAL PRODUCTS FOR THE VULGARISATION OF NEW TECHNIQUES

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

- 1.6. Will the aid be granted in favour of other activities for the vulgarisation of new techniques, such as reasonable small scale pilot projects or demonstration projects?

#	yes	#	no
---	-----	---	----

- 1.7. If yes please give a clear description of the project including an explanation of the novelty character of the project and of the public interest in granting support for it:

.....

.....

- 1.8. Does the project respect the following conditions:

Are the number of participating companies and the duration of the pilot scheme limited to what is necessary for proper testing?

#	yes	#	no
---	-----	---	----

Will the results of the pilot scheme be made publicly available?

#	yes	#	no
---	-----	---	----

2. Eligible costs and aid intensity

A. AID TO PRIMARY PRODUCERS

- 2.1. Concerning education and training, do the eligible costs include only the actual cost of organising the training programme, travel and subsistence expenses and the cost of the provision of replacement services during the absence of the farmer or the farm worker?

#	yes	#	no
---	-----	---	----

If no, please note that according to point 104 of the Guidelines combined with article 15.2 of Commission Regulation (EC) No 1857/2006⁽⁴⁹⁾, aid to cover other costs cannot be authorised.

- 2.2. Concerning the farm replacement services, do the eligible costs include only the actual costs of the replacement of the farmer, the farmer's partner, or a farm worker during illness and holidays?

#	yes	#	no
---	-----	---	----

If no, please note that according to point 103 of the Guidelines combined with article 15.2 of Commission Regulation (EC) No 1857/2006 aid to cover other costs cannot be authorised.

- 2.3. Concerning consultancy services provided by third parties, do the eligible costs include only the fees for services which do not constitute a continuous or periodic activity nor relate to the enterprise's usual operating expenditure (such as routine tax consultancy services, regular legal services or advertising) ?

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

#	yes	#	no
---	-----	---	----

If no, please note that according point 103 of the Guidelines combined with Article 15.2 of Commission Regulation (EC) No 1857/2006 aid to cover costs of continuous or periodic activities or relating to the enterprise's usual expenditure cannot be authorised.

- 2.4. In the case of organisation of, and/or participation in, forums to share knowledge between businesses, competitions, exhibitions and fairs, do the eligible costs only include: participation fees, travel costs, costs of publications, rent of exhibition premises and symbolic prizes awarded in the framework of competitions, up to a value of EUR 250 per prize and winner?

#	yes	#	no
---	-----	---	----

If no, please note that according to point 103 of the Guidelines combined with article 15.2 of Commission Regulation (EC) No 1857/2006, aid to cover other costs cannot be authorised.

- 2.5. Please state the aid intensity

- 2.6. Will the aid involve direct payments to producers?

#	yes	#	no
---	-----	---	----

Please note that according to point 103 of the Guidelines combined with Article 15.3 of Regulation (EC) No 1857/2006 aid must not involve direct payments to producers.

B. AID TO COMPANIES ACTIVE IN THE PROCESSING AND MARKETING OF AGRICULTURAL PRODUCTS

- 2.7. Concerning the services provided by outside consultants, are the eligible expenses limited only to costs of activities of non-continuous or non-periodic character, not relating to the enterprise's usual operating expenditure?

#	yes	#	no
---	-----	---	----

If no, please note that according to point 105 of the Guidelines combined with Article 5 of Commission Regulation (EC) No 70/2001 (or any provision replacing it) aid towards financing services being a continuous or periodic activity or related to the enterprise's usual operating expenditure, such as routine tax consultancy services, regular legal services or advertising can not be authorised.

- 2.8. Concerning the participation in fairs and exhibitions, are the eligible costs limited only to the additional costs incurred for renting, setting up and running the stand and apply only to the first participation of an enterprise in a particular fair or exhibition?

#	yes	#	no
---	-----	---	----

If no, please note that aid for costs other than specified in point 105 of the Guidelines combined with Article 5 of Regulation (EC) No 70/2001 (or any provision replacing it) cannot be authorised.

- 2.9. Please state the aid intensity: (max. 50 %)

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

Please note that according to point 105 of the Guidelines combined with Article 5 of Regulation (EC) No 70/2001 (or any provision replacing it) aid rates higher than the abovementioned ceiling cannot be authorised.

C. AID TO PRIMARY PRODUCERS AND COMPANIES ACTIVE IN THE PROCESSING AND MARKETING OF AGRICULTURAL PRODUCTS FOR THE VULGARISATION OF NEW TECHNIQUES

2.10. Concerning the activities for the vulgarisation of new techniques, such as reasonable small scale pilot projects or demonstration projects, can you confirm that the total amount of aid for such projects granted to a company will not exceed EUR 100 000 over three fiscal years?

#	yes	#	no
---	-----	---	----

2.11. Please state the aid intensity

3. **Beneficiaries**

3.1. Who are the beneficiaries of the aid?

farmers;
producer groups;
other (please specify)

.....

3.2. If farmers are not the direct beneficiaries of the aid:

3.2.1. Is the aid available to all the farmers eligible in the area concerned based on objectively defined conditions?

#	yes	#	no
---	-----	---	----

3.2.2. Where the provision of technical support is undertaken by producer groups or other organisations is membership of such groups or organisations a condition for access to the service?

#	yes	#	no
---	-----	---	----

3.2.3. Is the contribution of non-members towards the administrative costs of the group or organisation concerned limited to the costs of providing the service?

#	yes	#	no
---	-----	---	----

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

PART III.12.L

SUPPLEMENTARY INFORMATION SHEET ON AID FOR THE LIVESTOCK SECTOR

This form must be used for the notification of any State aid measures designed to support the livestock sector as described by point IV.L of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013⁽⁵⁰⁾.

1. Eligible expenses

1.1. Which of the following eligible expenses does the support measure cover:

- # the administrative costs of the establishment and maintenance of herd books?
- # tests to determine the genetic quality or yield of livestock (tests undertaken by or on behalf of third parties)?
- # eligible costs for investments in the introduction at farm level of innovatory animal breeding techniques or practices?

If the planned measure includes other eligible expenses, please note that Article 16(1) of Regulation (EC) No 1857/2006⁽⁵¹⁾ only allows this aid to cover the eligible expenses listed above. Checks carried out by the owner of the herd and routine checks on the quality of the milk are excluded.

2. Amount of aid

2.1. Please specify the maximum rate of public support expressed as a volume of eligible expenses:

- to cover the administrative costs of the establishment and maintenance of herd books (max. 100 %);
- for costs of tests to determine the genetic quality or yield of livestock (max. 70 %);
- eligible costs for investments centring on the introduction at farm level of innovatory animal breeding techniques or practices (max. 40 %, and up to 31 December 2011).

2.2. What measures have been taken to avoid overcompensation and to verify compliance with the above aid intensities?

.....
.....

3. Beneficiaries

3.1. Is the aid limited to firms which meet the Community definition of small and medium-sized undertakings?

#	yes	#	no
---	-----	---	----

If no, please note that, under point 109 of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013, large companies are excluded from receiving aid.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

PART III.12.M

SUPPLEMENTARY INFORMATION SHEET ON AID FOR THE OUTERMOST REGIONS AND THE AEGEAN ISLANDS

This form must be used by Member State to notify aids for the outermost regions and the Aegean islands, as dealt with in point IV.M of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013⁽⁵²⁾.

1. Does the proposed aid for the outermost regions and the Aegean Islands depart from the other provisions set out in the Guidelines?

#	yes	#	no
---	-----	---	----

— if no, please complete the notification form relevant to the type of aid (investment aid, technical support, etc).

— if yes, please continue to complete this form.

2. Does the measure involve the granting of operating aid?

#	yes	#	no
---	-----	---	----

3. Is the aid intended to mitigate the specific constraints on farming in the outermost regions as a result of their remoteness, insularity and distant location?

#	yes	#	no
---	-----	---	----

- 3.1. If yes, please determine the amount of the additional costs resulting from these specific constraints and the method of calculation:

.....

.....

.....

- 3.2. How can the authorities establish the link between the additional costs and the factors entailing them (like remoteness or distant location)?

.....

.....

4. Is this aid intended to offset in part additional transport costs?

#	yes	#	no
---	-----	---	----

- 4.1. If yes, please provide proof of the existence of these additional costs and the method of calculation used to determine their amount⁽⁵³⁾:

.....

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

.....

- 4.2. If yes, indicate what will be the maximum amount of aid (on the basis of an aid-per-kilometre ratio or on the basis of an aid-per-kilometre and aid-per-unit-weight ratio) and the percentage of the additional costs covered by the aid :

.....

5. In the case of Spain, is the aid intended for the production of tobacco in the Canary Islands⁽⁵⁴⁾?

#	yes	#	no
---	-----	---	----

- 5.1. If yes, is the aid limited to EUR 2 980,62 per tonne and to a maximum of 10 tonnes each year?

#	yes	#	no
---	-----	---	----

- 5.2. How can the Spanish authorities guarantee that the aid will not result in discrimination between producers in the islands?

.....

.....

PART III.12.N

SUPPLEMENTARY INFORMATION SHEET ON AID TO COMPENSATE FOR DAMAGE TO AGRICULTURAL PRODUCTION OR THE MEANS OF AGRICULTURAL PRODUCTION

This form must be used by Member States for the notification of any State aid measures which are designed to compensate for damage to agricultural production or the means of agricultural production as described by points V.B.2 and V.B.3 of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013⁽⁵⁵⁾.

1. **Aid to make good the damage caused by natural disasters or exceptional occurrences (point V.B.2. of the Guidelines)**

- 1.1. Which disaster or exceptional occurrence caused the damage for which the compensation is envisaged?

.....

- 1.2. What kind of physical damage was caused?

.....

- 1.3. What rate of compensation for material damage is contemplated?

.....

- 1.4. Is compensation planned for losses of income? If yes, what level of compensation is contemplated and how will income losses be calculated?

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

.....

1.5. Is the compensation to be calculated for each individual recipient?

.....

1.6. Are insurance payments to be deducted from the aid? How will it be checked whether insurance companies have made any payments?

.....

2. **Aid to compensate farmers⁽⁵⁶⁾ for losses caused by bad weather (point V.B.3 of the Guidelines)**

2.1. What weather event has justified the aid?

.....

2.2. Please give the weather data demonstrating the exceptional nature of the event:

.....

2.3. Please indicate the last date until which aid may be granted⁽⁵⁷⁾:

.....

2.4. What is the threshold of loss, in relation to normal production of the relevant crop⁽⁵⁸⁾ in a normal year, above which farmers will qualify for aid?

.....

Please note that the Commission will declare aid granted for losses due to adverse weather conditions compatible with Article 87(3)(c) of the Treaty only if those events can be assimilated to natural disasters as defined by Article 2(8) of Regulation (EC) No 1857/2006⁽⁵⁹⁾. A climatic event may be assimilated to a natural disaster and qualify for compensation when it destroys more than 30 % of the normal crop production in question.

2.5. Please give normal production figures for each of the crops affected by the weather event and eligible for compensation. Describe the method by which this figure has been arrived at⁽⁶⁰⁾.

.....

2.6. In the case of damage to the means of production (e.g. destruction of trees), explain how the threshold of loss to qualify for the aid has been calculated.

.....

2.7. Is the amount eligible for aid calculated as follows: (mean level of production in a given normal period x average price for the same period) - (actual production during the year of the event x average price for that year)?

.....

2.8. Are losses calculated for each individual holding or for a whole area? In the latter case, please show that the averages used are representative and not likely to lead to considerable over-compensation for some beneficiaries.

.....

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

- 2.9. Will insurance payments be deducted from the amount eligible for aid?
.....
- 2.10. Will the normal costs no longer faced by the farmer (e.g. because there was no actual harvest) be taken into account in calculating the aid?
.....
- 2.11. If such normal costs go up because of the weather event, is additional aid envisaged to cover the extra costs? If yes, what percentage of the extra costs will the aid cover?
.....
- 2.12. Will aid be paid to compensate for damage caused by the weather event to buildings and equipment? If yes, what percentage of the damage will it cover?
.....
- 2.13. Please indicate the maximum rate of public aid as a percentage of eligible damage⁽⁶¹⁾:
..... in less-favoured areas⁽⁶²⁾ (max. 90 %);
..... in other zones (max. 80 %).
- 2.14. Will aid be paid directly to farmers or in some circumstances to the producer organisations to which those farmers belong? In the latter case, what mechanisms will be used to check that the amount of aid collected by a farmer will not be more than the losses suffered?
.....
- 2.15. From 1 January 2010 will the compensation granted be reduced by 50 % if the farmer concerned has not taken insurance covering at least 50 % of mean annual production or of income related to production and the statistically most frequent climatic risks in the Member State or region concerned?

#	yes	#	no
---	-----	---	----

If no, please note that under point 126 of the Guidelines the Commission will declare aid granted for losses due to adverse weather conditions compatible with Article 87(3)(c) of the Treaty only if all conditions of Article 11 of Regulation (EC) No 1857/2006 are met and that this condition is explicitly laid down by that Article 11. Please show too that, despite all reasonable efforts, no financially accessible insurance policy covering the statistically most frequent climatic risks in the Member State or region concerned was available at the time the damage was incurred.

- 2.16. For aid pertaining to drought-related losses incurred after 1 January 2011, has the Member State fully implemented Article 9 of Directive 2000/60/EC of the European Parliament and of the Council⁽⁶³⁾ with regard to agriculture:

#	yes	#	no
---	-----	---	----

and does it guarantee that all costs for water services in the agricultural sector are recovered from the sector (Article 11(9) of Regulation (EC) No 1857/2006)?

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

#	yes	#	no
---	-----	---	----

If no, please note that under point 126 of the Guidelines the Commission will declare aid granted for losses due to adverse weather conditions compatible with Article 87(3)(c) of the Treaty only if all conditions of [Article 11 of Regulation (EC) No 1857/2006] are met and that the above two conditions are explicitly laid down by that Article 11.

PART III.12.O

SUPPLEMENTARY INFORMATION SHEET ON AID FOR COMBATING ANIMAL AND PLANT DISEASES

This form must be used by Member States for the notification of any State aid measures designed to compensate for damage to agricultural production or the means of agricultural production as described by point V.B.4 of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013⁽⁶⁴⁾.

1. Animal and plant diseases

1. What disease is involved?

.....

2. Does this disease appear on the list of animal diseases drawn up by the World Organisation for Animal Health?

#	yes	#	no
---	-----	---	----

If the disease has been caused by adverse weather

3. Please answer the questions in the Information Sheet 'Part III.12.N', providing any relevant information for making the cause-and-effect link between the weather event and the disease.

.....

If the disease has not been caused by adverse weather

4. Is there provision for aid for firms involved in the processing and marketing of agricultural products?

#	yes	#	no
---	-----	---	----

If yes, please refer to point 131 of the Guidelines.

5. Has the aid scheme been introduced within three years of the expenses or losses?

#	yes	#	no
---	-----	---	----

6. Please indicate the last date until which aid may be granted⁽⁶⁵⁾.

.....

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

7. Please show that there are Community-level or national legislative, regulatory or administrative provisions empowering the authorities to act against the disease, either by adopting measures to eradicate it (in particular mandatory measures giving entitlement to financial compensation) or by establishing an early-warning system combined, where necessary, with aid to encourage private individuals to participate in prevention schemes on a voluntary basis⁽⁶⁶⁾.

.....

8. Tick the applicable purpose of the aid scheme:

- # preventative in that it involves screening measures or analyses, the extermination of pests which may transmit the disease, preventative vaccinations of animals or treatment of crops, and preventative slaughtering of livestock or destruction of crops;
- # compensation, because the infected animals have to be slaughtered or the crops destroyed by order of, or on the recommendation of, the public authorities or because animals die as a result of vaccination or any other measure recommended or ordered by the competent authorities;
- # combined prevention and compensation, because a programme to deal with losses resulting from the disease is subject to the condition that the beneficiaries must make a commitment to take subsequent appropriate preventive measures as ordered by the official authorities.

9. Please show that the aid intended for controlling the disease is compatible with the specific aims and provisions of the European Union's veterinary or plant health legislation.

.....

10. Please give a detailed description of the proposed control measures.

.....

11. What will be the costs or losses covered by the aid?

- # costs of health checks, tests and other screening measures, purchase and administration of vaccines, medicines and plant protection products, slaughter and destruction costs of animals and costs of destruction of crops;
- # losses caused by animal or plant diseases or by parasite infections;
- # loss of income caused by the difficulties involved in rebuilding herds or replanting crops, or by any period of quarantine or waiting period ordered or recommended by the competent authorities to enable eradication of the disease before herd rebuilding or crop replanting.

12. Will aid designed to compensate costs of health checks, tests and other screening measures, purchase and administration of vaccines, medicines and plant protection products, slaughter and destruction costs of animals and costs of destruction of crops be granted through subsidised services without involving direct payments to farmers?

#	yes	#	no
---	-----	---	----

If no, please refer to Article 10(1)(b) of Commission Regulation (EC) 1857/2006.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

13. Is the amount of aid for losses due to animal or plant diseases or parasite infections calculated in relation to:

a. the market value of animals killed or plants destroyed by the disease or parasite infection or of animals killed or plants destroyed by public order as part of a compulsory public prevention or eradication programme;

#	yes	#	no
---	-----	---	----

If no, please refer to Article 10(2)(a)(i) of Commission Regulation (EC) 1857/2006.

b. income losses due to quarantine obligations and difficulties in restocking or replanting;

#	yes	#	no
---	-----	---	----

14. Please indicate the maximum aid intensity as a percentage of eligible costs.

..... % of costs of health checks, tests and other screening measures, purchase and administration of vaccines, medicines and plant protection products, slaughter and destruction costs of animals and costs of destruction of crops (gross aid intensity may not exceed 100 %).

..... % of the losses caused by animal or plant diseases (gross aid intensity may not exceed 100 %).

15. If aid is envisaged to make good the loss of profit due to any quarantine or waiting period imposed or recommended by the competent authorities to enable the elimination of the disease before the holding is restocked or replanted, or to any difficulties in restocking or replanting, please indicate all elements establishing that there is no risk of over-compensating the profit loss.

.....

16. Has Community aid been envisaged for the same purpose? If yes, indicate the date and references of the Commission decision approving it.

.....

17. Will insurance payments be deducted from the amount of aid?

#	yes	#	no
---	-----	---	----

18. Will the calculation of the aid take account of costs not incurred because of the disease, which would otherwise have been incurred?

#	yes	#	no
---	-----	---	----

2. TSE Tests

1. Please indicate the maximum aid intensity for TSE TESTS as a percentage of eligible costs. Under Article 16(1) of Commission Regulation (EC) 1857/2006, aid may be granted for up to 100 % of real costs incurred. Please note that Community payments regarding TSE TESTS must be included.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

..... %

2. Does the measure relate to the obligatory BSE testing of bovine animals slaughtered for human consumption?

#	yes	#	no
---	-----	---	----

Please note that the obligation to perform screening can be based on Community or national legislation.

3. If yes, does the total direct and indirect aid for these tests exceed EUR 40 per individual test (including Community payments)?

#	yes	#	no
---	-----	---	----

4. If yes, please refer to the second subparagraph of Article 16(1) of Commission Regulation (EC) 1857/2006.

5. Will the aid be paid directly to farmers?

#	yes	#	no
---	-----	---	----

If yes, please refer to Article 16(3) of Commission Regulation (EC) 1857/2006.

3. **Fallen stock and slaughterhouse waste**

1. Is the measure linked with a consistent programme for monitoring and ensuring the safe disposal of all fallen stock in the Member State?

#	yes	#	no
---	-----	---	----

If no, please refer to Article 16(2) of Commission Regulation (EC) 1857/2006.

2. Is aid for fallen stock and slaughterhouse waste granted to processing and marketing firms?

#	yes	#	no
---	-----	---	----

If yes, please refer to point 137(i) of the Guidelines.

3. Will the aid to cover the costs of eliminating slaughterhouse waste produced after these Guidelines came into force?

#	yes	#	no
---	-----	---	----

If yes, please refer to point 137(ii) of the Guidelines.

4. Is the aid granted directly to producers?

#	yes	#	no
---	-----	---	----

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

If yes, please refer to Article 16(3) of Commission Regulation (EC) 1857/2006.

5. If no, will aid be paid to firms active downstream from the farmer, providing services linked to the removal and/or destruction of fallen stock?

#	yes	#	no
---	-----	---	----

If no, please refer to Article 16(3) of Commission Regulation (EC) 1857/2006.

6. Please indicate the maximum aid intensity as a percentage of eligible costs.

- a. % of the costs of removal (max. 100 %)
 b. % of the costs of destruction (max. 75 %)

7. Under Article 16(1)(a) of Commission Regulation (EC) 1857/2006, aid up to an equivalent amount may *alternatively* be granted towards the costs of premiums paid by farmers for insurance covering the costs of removal and destruction of fallen stock. Does the notified measure include this type of payment?

#	yes	#	no
---	-----	---	----

8. Under Article 16(1)(b) of Commission Regulation (EC) 1857/2006, Member States may grant aid of up to 100 % for costs of removal and destruction of carcasses where the aid is financed through fees or through compulsory contributions destined for the financing of the destruction of such carcasses, provided that such fees or contributions are limited to and directly imposed on the meat sector. Does the notified measure include this type of payment?

#	yes	#	no
---	-----	---	----

9. Under Article 16(1)(c) of Commission Regulation (EC) 1857/2006, Member States may grant State aid of up to 100 % for the costs of removal and destruction of fallen stock, where there is an obligation to perform TSE tests on the fallen stock concerned. Does such an obligation exist?

#	yes	#	no
---	-----	---	----

PART III.12.P

SUPPLEMENTARY INFORMATION SHEET ON AID TOWARDS THE PAYMENT OF INSURANCE PREMIUMS

This form must be used by Member States for the notification of State aid measures which are designed to partially pay insurance premiums of primary agricultural producers, as described by point V.B. 5 of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013⁽⁶⁷⁾

1. Does the aid measure foresee payment of insurance premiums in favour of large companies and/or companies active in the processing and marketing of agricultural products?

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

#	yes	#	no
---	-----	---	----

If yes, please note that pursuant to paragraph 142 of the Guidelines the Commission cannot authorise such aid.

2. Please specify which losses will be covered by the insurance for which the premium will be partly financed under the notified aid measure:

only losses caused by adverse climatic events which can be assimilated to natural disasters, as defined in Article 2 point 8 of Commission Regulation (EC) No 1857/2006⁽⁶⁸⁾

the losses referred to above plus other losses caused by climatic events.

losses caused by animal or plant diseases or pest infestations (whether in combination with other losses mentioned in this point or not).

3. What is the level of aid proposed?

.....

Please note that if only the first case above applies, the maximum aid rate is 80 %, in all other cases (i.e. where box two and/or three has been ticked) 50 %.

4. Does the aid cover a re-insurance programme?

#	yes	#	no
---	-----	---	----

If yes, please provide all necessary information to enable the Commission to check possible aid components at the different levels involved (i.e. at the level of the insurer and/or re-insurer) and the compatibility of the proposed aid with the common market. In particular please submit sufficient information to enable the Commission to check that the final benefit of the aid is passed on to the farmer.

5. Is the possibility of covering the risk linked to only one insurance company or group of companies?

#	yes	#	no
---	-----	---	----

6. Is the aid conditional on the insurance contract being concluded with a company established in the Member State concerned?

#	yes	#	no
---	-----	---	----

Please note that under Article 12(3) of Commission Regulation (EC) No 1857/2006 the Commission cannot authorise aid towards insurance premiums which constitute a barrier to the operation of the internal market for insurance services.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

PART III.12.Q

SUPPLEMENTARY INFORMATION SHEET FOR AID FOR CLOSING PRODUCTION, PROCESSING AND MARKETING CAPACITY

This form must be used for the notification of any State aid schemes designed to promote the abandonment of capacity as described by chapter V.C. of the Community Guidelines for State aid in the agricultural and forestry sector⁽⁶⁹⁾.

1. Requirements

- 1.1. Does the planned scheme provide that,
- the aid must be in the general interest of the sector concerned
 - there must be a counterpart on the part of the beneficiary
 - the possibility of the aid being for rescue and restructuring must be excluded and that
 - there must be no over-compensation of loss of capital value and of future income?

#	yes	#	no
---	-----	---	----

If no, please note that according to chapter V.C. of the Guidelines no aid can be granted if those conditions are not fulfilled.

'The aid must be in the general interest of the sector concerned'

1.2. What is/are the sector(s) covered by the scheme?

.....
.....

1.3. Is/are that/those sector(s) subject to production limits or quotas?

#	yes	#	no
---	-----	---	----

If yes, please describe

.....
.....

1.4. Can that sector those sectors be considered to be in excess of capacity either at regional or national level?

#	yes	#	no
---	-----	---	----

1.4.1. If yes:

1.4.1.1. Is the planned aid scheme coherent with any Community arrangements to reduce production capacity?

#	yes	#	no
---	-----	---	----

Please describe this arrangements and the measures taken to assure the coherence

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

.....

1.4.1.2. Is the planned aid scheme part of a programme for the restructuring of the sector which has defined objectives and a specific timetable?

#	yes	#	no
---	-----	---	----

If yes, please describe the programme

.....

1.4.1.3. What is the duration of the planned aid scheme?

Please note that according to point 147(b) of the Guidelines the Commission can only authorised this type of aid when they provide for a limited duration. The duration of schemes aimed at reducing overcapacity should normally be limited to a period of not more than six months for collecting applications for participation and a further 12 months for actually closing down.

1.4.2. If no, is the capacity being closed for sanitary or environmental reasons?

#	yes	#	no
---	-----	---	----

If yes, please describe:

.....

1.5. Can it be assured that no aid may be paid which would interfere with the mechanisms of the common organisations of the market (OCM) concerned?

#	yes	#	no
---	-----	---	----

If no, please note that according to point 147(e) of the Guidelines any aid interfering with the mechanisms of the OCM concerned cannot be authorised

1.6. Is the aid scheme accessible to all economic operators in the sector concerned on the same conditions and a transparent system of calls for interest is used?

#	yes	#	no
---	-----	---	----

If no, please note that according to point 147(k) of the Guidelines, to be authorised by the Commission the aid scheme must assure the respect of this condition.

1.7. Are only enterprises fulfilling compulsory minimum standards eligible for aid?

#	yes	#	no
---	-----	---	----

Please note that enterprises are excluded which do not fulfil these standards and which would be obliged to stop production anyway.

1.8. In case of open farmland or orchards: Which measures have been taken in order to avoid erosion or other negative effects on the environment?

.....

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

.....

1.9. In case of installations covered by Council Directive 96/61⁽⁷⁰⁾: which measures have been taken in order to avoid any pollution risk and ensure that the site of operation is returned to a satisfactory state?

.....

.....

‘There must be a counterpart on the part of the beneficiary’

1.10. What is the nature of the counterpart required to the beneficiary by the planned scheme?

1.11. Does it consist of a definitive and irrevocable decision to scrap or irrevocably close the production capacity concerned?

#	yes	#	no
---	-----	---	----

1.11.1. If yes,
— can it be proved that these commitments are legally binding for the beneficiary?

#	yes	#	no
---	-----	---	----

Please justify:

.....

— can it be assured that these commitments must also bind any future purchaser of the facility concerned?

#	yes	#	no
---	-----	---	----

Please justify:

.....

1.11.2. If no, please describe the nature of the counterpart on the part of the beneficiary:

.....

Please note that according to point 147(g) of the guidelines where the production capacity has already closed definitively, or where such closure appears inevitable, there is no counterpart on the part of the beneficiary, and aid may not be paid.

‘The possibility of the aid being for rescue and restructuring must be excluded’

1.12. Does the planned scheme provides that, when the beneficiary of the aid is in financial difficulty, the aid will be assessed in accordance with the Community guidelines on rescue and restructuring of firms in difficulty⁽⁷¹⁾?

#	yes	#	no
---	-----	---	----

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

If no, please note that according to point 147(j) of the Guidelines, the Commission cannot authorise an aid for the abandonment of capacity of a company in difficulties and that the aid must be evaluated under the rescue and/or restructuring aid.

‘There must be no over-compensation of loss of capital value and of future income’

1.13. Please specify what is the maximum amount of aid, if any, to be granted per beneficiary?

.....

.....

1.14. Is the amount of aid calculated on the basis of the loss of value of the assets plus an incentive payment which may not exceed 20 % of the value of the assets, and eventually, the obligatory social costs resulting from the implementation of the scheme?

#	yes	#	no
---	-----	---	----

If no, please note that according to point 147(l) of the Guidelines, the amount of aid should be strictly limited to compensation for those items.

1.15. Does the planned aid scheme provide that, where capacity is closed for other reasons than health or environmental, at least 50 % of the costs of these aids should be met by a contribution from the sector, either through voluntary contributions or by means of compulsory levies?.

#	yes	#	no
---	-----	---	----

If no, please note that according to point 147(m) of the Guidelines, the Commission cannot authorise the aid.

1.16. Does the planned scheme provide for the submission of an annual report on the implementation of the scheme?

#	yes	#	no]]
---	-----	---	------

[^{F2}[^{X2}PART III.12.R.

SUPPLEMENTARY INFORMATION SHEET ON AID FOR THE PROMOTION AND ADVERTISING OF AGRICULTURAL PRODUCTS

This notification form must be used for State aid for advertising of products listed in Annex I to the EC-Treaty.

Please note that promotion operations as defined as the dissemination to the general public of scientific knowledge, the organisation of trade fairs or exhibitions, participation in these and similar public relations exercises, including surveys and market research, are not considered as advertising. State aid for such promotion in the broader sense is subject to points IV.j and IV.k of the Community guidelines for State aid in the agriculture and forestry sector 2007 to 2013⁽⁷²⁾.

1. Advertising campaigns within the Community

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

1.1. Where will the measure be carried out?

on the market of another Member State;
on the home market.

Who will carry out the advertising campaign ?

producer groups or other organisations, regardless of their size;
others (please explain):

...

1.2. Can your authorities submit samples or mock-ups of the advertising material to the Commission?

#	yes	#	no
---	-----	---	----

If not, please explain why.

.....

1.3. Please provide an exhaustive list of the eligible expenses.

.....

1.4. Who are the beneficiaries of the aid ?

farmers ;
producer groups and/or producer organisations;
enterprises active in the processing and marketing of agricultural products;
others (please specify)

.....

1.5. Can your authorities give the assurance that all producers of the products concerned are able to benefit from the aid in the same manner?

#	yes	#	no
---	-----	---	----

1.6. Will the advertising campaign be earmarked for quality products defined as products fulfilling the criteria to be established pursuant to Article 32 of Regulation (EC) No 1698/2005⁽⁷³⁾ ?

#	yes	#	no
---	-----	---	----

1.7. Will the advertising campaign be earmarked for EU-recognized denominations with reference to the origin of the products ?

#	yes	#	no
---	-----	---	----

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

- 1.8. If yes, will the said reference correspond exactly to the references which have been registered by the Community ?

#	yes	#	no
---	-----	---	----

- 1.9. Will the advertising campaign be earmarked for products using a national or regional quality label ?

#	yes	#	no
---	-----	---	----

- 1.10. Does the label make any reference to the national origin of the products concerned?

#	yes	#	no
---	-----	---	----

- 1.11. If yes, demonstrate that the reference to the origin of the products will be subsidiary in the message.

- 1.12. Is the advertising campaign of generic character and in the benefit of all producers of the type of product concerned?

#	yes	#	no
---	-----	---	----

- 1.13. If yes, will the advertising campaign be carried out without reference to the origin of the products ?

#	yes	#	no
---	-----	---	----

If no, please note that under point VI.D of the Guidelines no aid may be granted for such campaigns.

- 1.14. Will the advertising campaign be dedicated directly to the products of particular companies ?

#	yes	#	no
---	-----	---	----

If yes, please note that under point VI.D of the Guidelines no aid may be granted for such campaigns.

- 1.15. Will the advertising campaign comply with the provisions of Article 2 of Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to labelling, presentation and advertising of foodstuffs, as well as, where relevant, with the specific labelling rules laid down for various products (wine, dairy products, eggs and poultry)⁽⁷⁴⁾?

#	yes	#	no
---	-----	---	----

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

If no, please note that under point VI.D of the Guidelines no aid may be granted for such campaigns.

1.16. The aid rate will be the following:

- # up to 50 % (indicate the exact rate: ... %) because the sector will finance the rest of the campaign itself;
- # up to 100 % (indicate the exact rate: ... %) because the sector will finance the rest of the campaign through parafiscal levies or compulsory contributions;
- # up to 100 % (indicate the exact rate: ... %) because the advertising campaign is generic and in the benefit of all producers of the type of product concerned.

2. Advertising campaigns in third countries

2.1. Is the advertising campaign in line with the principles of Council Regulation (EC) No 2702/1999⁽⁷⁵⁾ ?

#	yes	#	no
---	-----	---	----

If no, please note that under point VI.D of the Guidelines no aid may be granted for such campaigns.

If yes, provide the elements demonstrating the compliance with the principles of Council Regulation (EC) No 2702/1999

2.2. Is the advertising campaign granted towards specific enterprises ?

#	yes	#	no
---	-----	---	----

If yes, please note that under point VI.D of the Guidelines no aid may be granted for such campaigns.

2.3. Does the advertising campaign risk endangering sales of or denigrate products from other Member States ?

#	yes	#	no
---	-----	---	----

If yes, please note that under point VI.D of the Guidelines no aid may be granted for such campaigns.

Editorial Information

- X2** Inserted by [Corrigendum to Commission Regulation \(EC\) No 1935/2006 of 20 December 2006 amending Regulation \(EC\) No 794/2004 implementing Council Regulation \(EC\) No 659/1999 laying down detailed rules for the application of Article 93 of the EC Treaty \(Official Journal of the European Union L 407 of 30 December 2006\)](#).

Textual Amendments

- F2** Inserted by [Commission Regulation \(EC\) No 1935/2006 of 20 December 2006 amending Regulation \(EC\) No 794/2004 implementing Council Regulation \(EC\) No 659/1999 laying down detailed rules for the application of Article 93 of the EC Treaty](#).

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

PART III.12.S

SUPPLEMENTARY INFORMATION SHEET ON AIDS LINKED TO TAX EXEMPTIONS UNDER DIRECTIVE 2003/96/EC

This form must be used for the notification of any State aid measure linked to tax exemptions under directive 2003/96/EC⁽⁷⁶⁾.

1. Which measure is envisaged ?
tax reduction for motor fuels used in primary agricultural production;
tax reduction for energy products and electricity used in primary agricultural production.
2. What is the level of the envisaged reduction ?
...
3. Under which article of Council Directive 2003/96/EC do you want to apply this exemption ?
...
4. Will there be any differentiation in the level of exemption within the sector concerned ?

#	yes	#	no
---	-----	---	----

5. If the possibility of applying a level of taxation down to zero to energy products and electricity used for agriculture is repealed by the Council, will the exemption envisaged fulfil all the relevant provisions of the directive, without tax differentiation within the sector concerned ?

#	yes	#	no
---	-----	---	----

Please indicate which article(s) of the directive will be applied:

PART III.12.T

SUPPLEMENTARY INFORMATION SHEET ON AIDS FOR THE FORESTRY SECTOR

This form must be used for the notification of any State aid measure to support forestry covered by Chapter VII of the Community Guidelines on State aid in the agriculture and forestry sector⁽⁷⁷⁾.

1. Objective of the measure
 - 1.1. Does the measure contribute to maintaining, restoring or improving ecological, protective and recreational functions of forests, biodiversity and a healthy forest ecosystem or does it concern the eligible costs mentioned in points 175 to 181 in Chapter VII of the Guidelines?

#	yes	#	no
---	-----	---	----

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

If not, please note that only measures concerning at least one of these objectives or eligible costs can be approved under this Chapter.

2. Eligibility criteria

2.1. Does the measure exclude aid to forest based industries or for commercially viable extraction of timber, transportation of timber or for the processing of wood or other forestry resources into products or for energy generation?

#	yes	#	no
---	-----	---	----

If not, please note that aid for the above purposes is excluded from the scope of this Chapter. Please refer to other State aid rules for such aid.

3. Type of aid

3.1. Does the measure include aid for planting, felling, thinning and pruning of trees and other vegetation (point VII.C. a)?

#	yes	#	no
---	-----	---	----

If yes, please indicate whether the eligible costs concern:

- # planting, felling and pruning in general;
- # removal of fallen trees;
- # restoring forests damaged by air pollution, animals, storms, floods, fire or similar events;

If one of the above apply, please describe the measures and confirm that the primary objective of the measure is to maintain and restore forest ecosystem and biodiversity or the traditional landscape and that no aid is granted for felling whose primary purpose is commercially viable extraction of timber or for restocking where the felled trees are replaced by equivalent ones:

.....

afforestation to increase forest cover;

Please describe the environmental reasons justifying the afforestation to increase forest cover and confirm that no aid will be granted for afforestation with species cultivated in the short term:

.....

afforestation to promote biodiversity;

Please describe the measure and indicate the areas concerned:

.....

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

afforestation to create wooded areas for recreational purposes;

Are the above wooded areas accessible to the public at no cost for recreational purposes? If not, is access restricted to protect sensitive areas?

.....
.....
.....

afforestation to combat erosion and desertification or to promote a comparable protective function of the forest;

Please describe the measures specifying the areas concerned, the protective function envisaged, tree species to be planted and any accompanying and maintenance measures to be undertaken:

.....
.....
.....
.....
.....

other (please explain).

.....
.....

3.2. Does the measure include aid for maintaining and improving soil quality in forests and/or ensuring balanced and healthy tree growth (point VII.C. b)?

#	yes	#	no
---	-----	---	----

If yes, please indicate whether the eligible costs concern:

fertilisation;
other soil treatments;

Please specify the type of fertilisation and/or other soil treatment

.....
.....

reduction of excessive vegetation density;
#. ensuring sufficient water retention and proper drainage.

Please confirm that the above measures will not reduce biodiversity, cause nutrient leaching or adversely affect natural water ecosystems or water protection zones and describe how this will be controlled in practice:

.....
.....
.....

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

.....

3.3. Does the measure include aid for preventing, eradicating and treating pests, pest damage and tree diseases or preventing and treating damage done by animals or targeted measures to prevent forest fires (point VII.C. c)?

#	yes	#	no
---	-----	---	----

If yes, please indicate whether the eligible costs concern:

prevention and treatment of pests and tree diseases and pest damage or prevention and treatment of damage done by animals;

Please indicate the pests and diseases or animals in question:

.....
.....
.....
.....

Please describe the prevention and treatment methods and mention any necessary products, appliances and materials. Are biological and mechanical prevention and treatment methods preferred when granting aid? If not, please demonstrate that they are not sufficient to fight the disease or pest in question:

.....
.....
.....
.....

targeted measures to prevent forest fires.

Please describe the measures:

.....
.....
.....
.....

Is aid granted to compensate for the value of stock destroyed by animals or on the order of the authorities to fight the disease or pest in question?

#	yes	#	no
---	-----	---	----

Please describe how the value of stock will be calculated and confirm that the compensation will be limited to the value thus determined:

.....
.....

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

.....

.....

3.4. Does the measure include aid for the restoration and maintenance of natural pathways, landscape elements and features and the natural habitat for animals (point VII.C. d)?

#	yes	#	no
---	-----	---	----

If yes, please describe the measures:

.....

.....

.....

.....

.....

3.5. Does the measure include aid for constructing, improving and maintaining forest roads and/or visitors' infrastructures (point VII.C.e)?

#	yes	#	no
---	-----	---	----

If yes, please describe the measures:

.....

.....

.....

.....

Are the forests and infrastructures used for recreation open to the public at no cost for recreational purposes?

#	yes	#	no
---	-----	---	----

If not, is access restricted to protect sensitive areas or to ensure the proper and safe use of the infrastructures? Please describe the restrictions and the reasons for imposing them:

.....

.....

.....

3.6. Does the measure include aid for the costs of information materials and activities (point VII.C.f)?

#	yes	#	no
---	-----	---	----

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

If yes, please describe the measures and confirm that the supported actions and materials disseminate general information concerning forests and do not contain references to named products or producers or promote domestic products:

.....

3.7. Does the measure include aid for the costs of purchase of forestry land for nature protection purposes (point VII.C.g)?

#	yes	#	no
---	-----	---	----

If yes, please describe in detail the nature protection use of the forestry land in question and confirm that this land is entirely and permanently secured for nature protection by means of a statutory or contractual obligation:

.....

3.8. Does the measure include aid for the costs of afforestation of agricultural or non-agricultural land, establishment of agro forestry systems on agricultural land, Natura 2000 payments, forest-environment payments, restoring forestry potential and introducing prevention actions as well as non productive investments, pursuant to Articles 43 to 49 of Regulation (EC) No 1698/2005⁽⁷⁸⁾ or any replacing legislation?

#	yes	#	no
---	-----	---	----

If yes please demonstrate that the measure fulfils the conditions laid down in Articles 43-49 of Regulation (EC) No 1698/2005 or any replacing legislation:

.....

3.9. Does the measure include aid for the additional costs and income foregone due to the use of environmentally friendly forest technology?

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

#	yes	#	no
---	-----	---	----

If yes, please describe in detail the technology used and confirm that it goes beyond the relevant mandatory requirements:

.....
.....
.....
.....
.....

Is the compensation paid on the basis of a voluntary commitment that the forest owner has entered and that satisfies the conditions of Article 47 of Regulation (EC) No 1698/2005 or any replacing legislation?

#	yes	#	no
---	-----	---	----

If not, please note that the aid cannot be authorized under Chapter VII of the Guidelines. If yes, describe the commitments:

.....
.....
.....
.....
.....

3.10. Does the measure include aid for the costs of purchase of forestry land (other than forestry land for environmental protection purposes, see point 3.7 above)?

#	yes	#	no
---	-----	---	----

If yes, please describe the measure and indicate the aid intensity:

.....
.....
.....
.....
.....

3.11. Does the measure include aid for the costs of training, consultancy services, such as, establishment of business plans or forestry management plans, feasibility studies, as well as participation in competitions, exhibitions and fairs?

#	yes	#	no
---	-----	---	----

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

If yes please demonstrate that the measure fulfils the conditions laid down in Article 15 of the Exemption Regulation:

.....

3.12. Does the measure include aid for the setting up of forestry associations?

#	yes	#	no
---	-----	---	----

If yes please demonstrate that the measure fulfils the conditions laid down in Article 9 of the Exemption Regulation:

.....

3.13. Does the measure include aid in favour of vulgarisation of new techniques, such as reasonable small scale pilot projects or demonstration projects?

#	yes	#	no
---	-----	---	----

If yes please describe the measures and demonstrate that they fulfil the conditions set out in point 107 of the Guidelines:

.....

4. Amount of aid

4.1. Is the aid for measures indicated under points 3.1 to 3.7 limited to 100 % of the eligible costs and overcompensation excluded?

#	yes	#	no
---	-----	---	----

Please describe how the exclusion of overcompensation will be controlled:

.....

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

.....

.....

4.2. Is the aid for measures indicated under point 3.8 limited to the maximum intensity or amount laid down in Regulation (EC) No 1698/2005 or any replacing legislation?

#	yes	#	no
---	-----	---	----

Are the measures indicated under point 3.8 being co-financed under Regulation (EC) No 1698/2005 or any replacing legislation or is such co-financing envisaged or possible?

#	yes	#	no
---	-----	---	----

If yes, please describe how any double funding leading to overcompensation will be excluded:

.....

.....

.....

4.3. Can the compensation for measures indicated under point 3.9 be granted above the maximum aid rate for aid under Article 47 fixed in the Annex of Regulation (EC) No 1698/2005, but in no case more than the demonstrated additional costs and income foregone?

#	yes	#	no
---	-----	---	----

In both cases, please indicate the aid amount and describe how it is calculated. If yes, please describe the specific circumstances and the effect of the measure to the environment and present calculations showing that the additional amounts of aid are limited to the demonstrated additional costs and/or income foregone:

.....

.....

.....

4.4. Is the aid for the measures indicated under point 3.10 limited to the maximum aid intensity laid down in Article 4 of the Exemption Regulation for the purchase of agricultural land?

#	yes	#	no
---	-----	---	----

Please describe how the exclusion of overcompensation will be controlled:

.....

.....

.....

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

- 4.5. Is the aid for measures indicated under points 3.11 to 3.13 limited to the maximum aid intensity laid down in the applicable rules of the Exemption Regulation or the Guidelines?

#	yes	#	no
---	-----	---	----

Please describe how the exclusion of overcompensation will be controlled:

.....

.....

......]]

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

PART III.13.A

SIS ON AID FOR RESTRUCTURING FIRMS IN DIFFICULTY IN THE AVIATION SECTOR

This annex must be used for the notification of individual restructuring aid for airlines covered by the Community Guidelines on State aid for rescuing and restructuring firms in difficulty ⁽¹⁾ and those on State aid in the aviation sector ⁽²⁾.

1. **Eligibility**

- 1.1. Is the firm a limited company, where more than half of its registered capital has disappeared and more than one quarter of that capital has been lost over the preceding 12 months?

yes no

- 1.2. Is the firm an unlimited company, where more than half of its capital as shown in the company accounts has disappeared and more than one quarter of that capital has been lost over the preceding months?

yes no

- 1.3. Does the firm fulfil the criteria under domestic law for being the subject of collective insolvency proceedings?

yes no

If you have answered yes on any of the above questions, please attach the relevant documents (latest profit and loss account with balance sheet, or court decision opening an investigation into the company under national company law)

If you have answered no to all of the above questions, please submit evidence supporting that the firm is in difficulties and thus eligible for rescue aid.

- 1.4. When has the firm been created?

- 1.5. Since when is the firm operating?

- 1.6. Does the company belong to a larger business group?

yes no

If you have answered yes, please submit full details about the group (organisation chart, showing the links between the group's members with details on capital and voting rights) and attach proof that the company's difficulties are its own and are not the result of an arbitrary allocation of costs within the group and that the difficulties are too serious to be dealt with by the group itself.

- 1.7. Has the firm (or the group to which it belongs) in the past received any restructuring aid?

yes no

If yes, please provide full details (date, amount, reference to previous Commission decision if applicable, etc.)

2. **Restructuring plan**

- 2.1. Please supply a copy of the survey of the market(s) served by the firm in difficulty, with the name of the organisation which carried it out. The market survey must give in particular:

- 2.1.1. A precise definition of the product and geographical market(s).

- 2.1.2. The names of the company's main competitors with their shares of the world, Community or domestic market, as appropriate.

⁽¹⁾ Community Guidelines on State aid for rescuing and restructuring firms in difficulty, OJ C 288, 9.10.1999, p. 2.

⁽²⁾ Community guidelines on the application of Articles 92 and 93 of the EC Treaty and Article 61 of the EEA Agreement to State aids in the aviation sector, OJ C 350, 10.12.1994, p.5.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

- 2.1.3. The evolution of the company's market share in recent years.
- 2.1.4. An assessment of total production capacity and demand at Community level, concluding whether or not there is excess capacity on the market.
- 2.1.5. Community-wide forecasts for trends in demand, aggregate capacity and prices on the market over the five years ahead.
- 2.2. Please attach the restructuring plan. As aid must form part of a comprehensive restructuring programme, at least the following information should be included:
 - 2.2.1. Presentation of the different market assumptions arising from the market survey.
 - 2.2.2. Analysis of the reason(s) why the firm has run into difficulty.
 - 2.2.3. Presentation of the proposed future strategy for the firm and how this will lead to viability.
 - 2.2.4. Complete description and overview of the different restructuring measures planned and their cost.
 - 2.2.5. Timetable for implementing the different measures and the final deadline for implementing the restructuring plan in its entirety.
 - 2.2.6. Information on the production capacity of the company, and in particular on utilisation of this capacity and capacity reductions, especially when needed by the restoration of the financial viability of the firm and/or the situation of the market.
 - 2.2.7. Full description of the financial arrangements for the restructuring, including:
 - Use of capital still available;
 - Sale of assets or subsidiaries to help finance the restructuring;
 - Financial commitment by the different shareholders and third parties (like creditors, banks);
 - Amount of public assistance and demonstration of the need for that amount.
 - 2.2.8. Projected profit and loss accounts for the next five years with estimated return on capital and sensitivity study based on several scenarios.
 - 2.2.9. Commitment of the Member State authorities not to grant any further aid to the firm.
 - 2.2.10. Commitment of the Member State authorities not to interfere in the management of the company other than due to ownership rights and allowing the company to be run according to commercial principles.
 - 2.2.11. Commitments taken by the Member State authorities in order to limit the aid to the purposes of the restructuring programme and to prevent the firm to acquire shareholdings in other air carriers during the restructuring period.
 - 2.2.12. Name(s) of the author(s) of the restructuring plan and date on which it was drawn up.
- 2.3. Describe the compensatory measures proposed with a view to mitigating the distortive effects on competition at Community level and especially the impact of the capacity and offer reduction contained in the restructuring plan of the firm on its competitors.
- 2.4. Provide all relevant information on aid of any kind granted to the firm receiving restructuring aid, whether under a scheme or not, until the restructuring period comes to an end.
- 2.5. Provide all relevant information to describe the modalities of transparency and control scheduled for the notified measure.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

PART III.13.B

SIS ON TRANSPORT INFRASTRUCTURE AID

This SIS must be used for the notification of any individual aid or any scheme in favour of transport infrastructure. It should also be used in the case of individual aid or scheme, which is notified to the Commission for reasons of legal certainty.

1. Type of infrastructure

- 1.1 Please specify the kind of infrastructure eligible under the measure.
- 1.2 Is the infrastructure in question open and accessible to all potential users on non-discriminatory terms or is it dedicated to one or more particular undertakings?
- 1.3 Is the infrastructure part of the public domain and operated as such or is it operated/managed by an entity separated from the public administration?
- 1.4 Please specify the conditions under which the infrastructure will be operated.
- 1.5 Does the scheme or individual measure relate to new infrastructure or the extension/upgrading of existing infrastructure?

2. Eligible costs and aid intensity

- 2.1 Does the scheme or the individual measure relate to:
 - investment costs
 - operating costs
 - other (please specify)
- 2.2 What are the total costs for the project in question and to what extent will the beneficiary contribute to these costs.
- 2.3 By what means have the amount of aid been established, e.g. a tendering procedure, market studies, etc.?
- 2.4 Please justify the necessity of the public contributions and explain how it has been ensured that the public participation has is kept at the minimum necessary.

3. Beneficiary

- 3.1 By what means have the beneficiary been chosen.
- 3.2 Will the beneficiary also operate the infrastructure?
 - yes
 - no

If, no, please explain how the operator has been selected.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

PART III.13.C

SIS ON AID FOR MARITIME TRANSPORT

This SIS must be used for the notification of any aid scheme covered by the Community guidelines on State aid to maritime transport ⁽¹⁾.

1. **Types of scheme**

Does the scheme constitute or include:

- (a) a Tonnage Tax
- (b) a reduction in social contributions
- (c) a reduction in the income tax applicable to seafarers
- (d) a reduction in local taxes
- (e) a reduction in registration fees
- (f) aids for training
- (g) aids for transferring lorries from roads to sea ways
- (h) a public service contract or award procedure thereof
- (i) aids of social character?
- (j) other, please describe:

2. **Eligibility**

For (a) (b) (c) (d) (e) (f) (g)

- 2.1. What are the eligibility criteria for companies?
- 2.2. What are the eligibility criteria for boats, in particular is there an obligation on the flag?
- 2.3. Where appropriate, what are the eligibility criteria for seafarers?
- 2.4. Describe the list of eligible activities. In particular, does the regime concern
 - tug activities? dredging activities?
- 2.5. What are the ring-fence measures to avoid spill-over into after activities of the same company?
- 2.6. For (h): What are the public services obligations, the method for calculating the compensations, the different offers submitted in the tender and the reasons for the choice of the designated company?
- 2.7. For (i): What are the routes concerned, the populations of users concerned and the conditions attached to the award of individual grants?

3. **Aid intensity**

For (a):

- 3.1. What are the rates used to calculate the taxable income per 100 NT?
 - Up to 1 000 NT
 - Between 1 001 and 10 000 NT
 - Between 10 001 and 20 000 NT
 - More than 20 001 NT
- 3.2. Are companies obliged to set up separate accountings when operating both eligible and non eligible activities?

(1) Community guidelines on State aid to maritime transport, OJ C 205, 5.7.1997, p. 5.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

- 3.3. How should be treated groups of companies and intra-group transactions?
For (b) (c) (d) (e):
- 3.4. What is the aid intensity in terms of percentage of the social/fiscal contributions or of the tax or fees that the seafarer or the shipowner should have normally been subject to? __%
- 3.5. Or to what level in absolute terms these contributions, fees or taxes have been limited?
- 3.6. For (f): What is the aid intensity in terms of the cost of the training or the salary of the trainee?
- 3.7. For (g): What is the amount of aid per tonne kilometer transferred?
- 3.8. For (i): What is the amount of individual grants?

PART III.13.D

SIS ON AID FOR COMBINED TRANSPORT

This SIS must be used for the notification of any individual aid or any scheme for combined transport purposes . It should also be used in the case of individual aid or scheme, which is notified to the Commission for reasons of legal certainty.

1. Type of scheme or measure

Does the scheme or the individual measure relate to:

Acquisition of combined transport equipment

yes no

If yes, please give a description of the eligible assets:

.....
.....

Construction of infrastructure related to combined transport

yes no

If yes, please give a description of the measure:

.....
.....

Granting of non-remboursable subsidies to reduce the costs of access to combined transport services

yes no

If yes, please provide a study justifying such a mesure:

Other:

.....
.....
.....

2. Eligible costs

Are maritime containers (ISO 1) eligible under the scheme?

yes no

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

Are wagons and locomotives eligible under the scheme?

yes no

If yes, please specify the beneficiaries:

.....

Will the eligible items be exclusively used for combined transport operations?

yes no

Other eligible costs under the individual aid or scheme:

.....

3. Aid intensity

Is the aid intensity for combined transport equipment higher than 30% of the eligible costs?

yes no

Is the aid intensity for combined transport infrastructure higher than 50% of the eligible costs?

yes no

If yes, please provide documentary evidence justifying it:

.....

For subsidies to reduce the costs of access to combined transport services, please provide a study justifying the planned aid intensity

[^{X3}][^{X4}PART III.14

SUPPLEMENTARY INFORMATION SHEET FOR AID TO FISHERIES

1. Objectives of the scheme (tick as appropriate):

- aid for the permanent withdrawal of fishing vessels through their transfer to third countries (aid to export, aid for the setting up of joint ventures) (point 4.2 of the guidelines);
- aid for the temporary cessation of fishing activities (point 4.3 of the guidelines);
- aid for investment in the fleet (aid for renewal, aid for modernisation and equipment, aid for the purchase of used vessels) (point 4.4 of the guidelines);
- socioeconomic measures (point 4.5 of the guidelines);
- aid to make good damage caused by natural disaster or exceptional occurrences (point 4.6 of the guidelines);
- others (in particular, indicate if the aid concerned falls within the categories of aid covered by the Commission Regulation on State aid to SMEs in the fisheries sector).

2. Where aid scheme concerns permanent transfer of fishing vessels to developing countries, indicate how will it be ensured that international law will be not infringed in particular with respect to conservation and management of marine resources.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

3. A fully reasoned justification as to why and on the basis of which provision of the guidelines the scheme may be considered as compatible with the common market shall be provided. This text should include a detailed demonstration that all conditions of the guidelines and, where they refer to Regulation (EC) No 2792/1999, the conditions of the relevant provisions of, and annexes to that Regulation are fulfilled. It should also summarise the content of the necessary supporting documents submitted with the notification (e.g. socioeconomic data on the recipient regions, scientific and economic justification).
4. Each notification should contain the following undertakings from the Member State:
 - commitment that the measures financed and their effects comply with Community law,
 - commitment that, during the grant period, the beneficiaries of the aid comply with the rules of the Common Fisheries Policy.]]

Editorial Information

- X3** Inserted by Corrigendum to 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 (Official Journal of the European Union L 140 of 30 April 2004).
- X4** Substituted by Corrigendum of the Corrigendum to 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 (Official Journal of the European Union L 25 of 28 January 2005).

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

ANNEX II

SIMPLIFIED NOTIFICATION FORM

This form may be used for the simplified notification pursuant to Article 4 (2) of the Commission Implementation Regulation N° present reglement of (...) implementing Council Redgulation (EC) N° 659/1999 (1).

1. **Prior approved aid scheme (2)**

- 1.1. Aid number allocated by the Commission:
- 1.2. Title:
- 1.3. Date of approval [by reference to the letter of the Commission SG(.)D/...]:
- 1.4. Publication in the Official Journal of the European Union:
- 1.5. Primary objective (please specify one):
- 1.6. Legal basis:
- 1.7. Overall budget:
- 1.8. Duration:

2. **Instrument subject to notification**

- new budget (please specify the overall as well as the annual budget in the respective national currency):
- new duration (please specify the starting date from which the aid may be granted and the last date until which the aid may be granted):
- tightening of criteria (please indicate if the amendment concerns a reduction of aid intensity or eligible expenses and specify details):

Please attach a copy (or a web link) of the relevant extracts of the final text(s) of the legal basis.

(1) Council Regulation (EC) No 659/1999 laying down detailed rules for the application of Article 93 of the EC Treaty, OJ L 83, 27.3.1999, p.1.

(2) If the aid scheme has been notified to the Commission on more than one occasion, please provide details for the latest complete notification that has been approved by the Commission

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

ANNEX III A

STANDARDISED REPORTING FORMAT FOR EXISTING STATE AID

(This format covers all sectors except agriculture)

With a view to simplifying, streamlining and improving the overall reporting system for State aid, the existing Standardised Reporting Procedure shall be replaced by an annual updating exercise. The Commission shall send a pre-formatted spreadsheet, containing detailed information on all existing aid schemes and individual aid, to the Member States by 1 March each year. Member States shall return the spreadsheet in an electronic format to the Commission by 30 June of the year in question. This will enable the Commission to publish State aid data in year t for the reporting period $t-1$ ⁽⁷⁹⁾.

The bulk of the information in the pre-formatted spreadsheet shall be pre-completed by the Commission on the basis of data provided at the time of approval of the aid. Member States shall be required to check and, where necessary, modify the details for each scheme or individual aid, and to add the annual expenditure for the latest year ($t-1$). In addition, Member States shall indicate which schemes have expired or for which all payments have stopped and whether or not a scheme is co-financed by Community Funds.

Information such as the objective of the aid, the sector to which the aid is directed, etc shall refer to the time at which the aid is approved and not to the final beneficiaries of the aid. For example, the primary objective of a scheme which, at the time the aid is approved, is exclusively earmarked for small and medium-sized enterprises shall be aid for small and medium-sized enterprises. However, another scheme for which all aid is ultimately awarded to small and medium-sized enterprises shall not be regarded as such if, at the time the aid is approved, the scheme is open to all enterprises.

The following parameters shall be included in the spreadsheet. Parameters 1-3 and 6-12 shall be pre-completed by the Commission and checked by the Member States. Parameters 4, 5 and 13 shall be completed by the Member States.

1. Title
2. Aid number
3. All previous aid numbers (e.g., following the renewal of a scheme)
4. Expiry

Member States should indicate those schemes which have expired or for which all payments have stopped.

5. Co-financing

Although Community funding itself is excluded, total State aid for each Member State shall include aid measures that are co-financed by Community funding. In order to identify which schemes are co-financed and estimate how much such aid represents in relation to overall State aid, Member States are required to indicate whether or not the scheme is co-financed and if so the percentage of aid that is co-financed. If this is not possible, an estimate of the total amount of aid that is co-financed shall be provided.

6. Sector

The sectoral classification shall be based largely on NACE⁽⁸⁰⁾ at the [three-digit level].

7. Primary objective

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

8. Secondary objective

A secondary objective is one for which, in addition to the primary objective, the aid (or a distinct part of it) was exclusively earmarked at the time the aid was approved. For example, a scheme for which the primary objective is research and development may have as a secondary objective small and medium-sized enterprises (SMEs) if the aid is earmarked exclusively for SMEs. Another scheme for which the primary objective is SMEs may have as secondary objectives training and employment if, at the time the aid was approved, the aid is earmarked for x% training and y% employment.

9. Region(s)

Aid may, at the time of approval, be exclusively earmarked for a specific region or group of regions. Where appropriate, a distinction should be made between the Article 87(3)a regions and the Article 87(3)c regions. If the aid is earmarked for one particular region, this should be specified at NUTS⁽⁸¹⁾ level II.

10. Category of aid instrument(s)

A distinction shall be made between six categories (Grant, Tax reduction/exemption, Equity participation, Soft loan, Tax deferral, Guarantee).

11. Description of aid instrument in national language

12. Type of aid

A distinction shall be made between three categories: Scheme, Individual application of a scheme, Individual aid awarded outside of a scheme (ad hoc aid).

13. Expenditure

As a general rule, figures should be expressed in terms of actual expenditure (or actual revenue foregone in the case of tax expenditure). Where payments are not available, commitments or budget appropriations shall be provided and flagged accordingly. Separate figures shall be provided for each aid instrument within a scheme or individual aid (e.g. grant, soft loans, etc.) Figures shall be expressed in the national currency in application at the time of the reporting period. Expenditure shall be provided for t-1, t-2, t-3, t-4, t-5.

ANNEX III B

STANDARDISED REPORTING FORMAT FOR EXISTING STATE AID

(This format covers the agricultural sector)

With a view to simplifying, streamlining and improving the overall reporting system for State aid, the existing Standardised Reporting Procedure shall be replaced by an annual updating exercise. The Commission shall send a pre-formatted spreadsheet, containing detailed information on all existing aid schemes and individual aid, to the Member States by 1 March each year. Member States shall return the spreadsheet in an electronic format to the Commission by 30 June of the year in question. This will enable the Commission to publish State aid data in year t for the reporting period t-1⁽⁸²⁾.

The bulk of the information in the pre-formatted spreadsheet shall be pre-completed by the Commission on the basis of data provided at the time of approval of the aid. Member States shall be required to check and, where necessary, modify the details for each scheme or individual

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

aid, and to add the annual expenditure for the latest year (t-1). In addition, Member States shall indicate which schemes have expired or for which all payments have stopped and whether or not a scheme is co-financed by Community Funds.

Information such as the objective of the aid, the sector to which the aid is directed, etc shall refer to the time at which the aid is approved and not to the final beneficiaries of the aid. For example, the primary objective of a scheme which, at the time the aid is approved, is exclusively earmarked for small and medium-sized enterprises shall be aid for small and medium-sized enterprises. However, another scheme for which all aid is ultimately awarded to small and medium-sized enterprises shall not be regarded as such if, at the time the aid is approved, the scheme is open to all enterprises.

The following parameters shall be included in the spreadsheet. Parameters 1-3 and 6-12 shall be pre-completed by the Commission and checked by the Member States. Parameters 4, 5, 13 and 14 shall be completed by the Member States.

1. Title
2. Aid number
3. All previous aid numbers (e.g., following the renewal of a scheme)
4. Expiry

Member States should indicate those schemes which have expired or for which all payments have stopped.

5. Co-financing

Although Community funding itself is excluded, total State aid for each Member State shall include aid measures that are co-financed by Community funding. In order to identify which schemes are co-financed and estimate how much such aid represents in relation to overall State aid, Member States are required to indicate whether or not the scheme is co-financed and if so the percentage of aid that is co-financed. If this is not possible, an estimate of the total amount of aid that is co-financed shall be provided.

6. Sector

The sectoral classification shall be based largely on NACE⁽⁸³⁾ at the [three-digit level].

7. Primary objective

8. Secondary objective

A secondary objective is one for which, in addition to the primary objective, the aid (or a distinct part of it) was exclusively earmarked at the time the aid was approved. For example, a scheme for which the primary objective is research and development may have as a secondary objective small and medium-sized enterprises (SMEs) if the aid is earmarked exclusively for SMEs. Another scheme for which the primary objective is SMEs may have as secondary objectives training and employment aid if, at the time the aid was approved the aid is earmarked for x% training and y% employment.

9. Region(s)

Aid may, at the time of approval, be exclusively earmarked for a specific region or group of regions. Where appropriate, a distinction should be made between Objective 1 regions and less-favoured areas.

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

10. Category of aid instrument(s)
A distinction shall be made between six categories (Grant, Tax reduction/exemption, Equity participation, Soft loan, Tax deferral, Guarantee).
11. Description of aid instrument in national language
12. Type of aid
A distinction shall be made between three categories: Scheme, Individual application of a scheme, Individual aid awarded outside of a scheme (ad hoc aid).
13. Expenditure
As a general rule, figures should be expressed in terms of actual expenditure (or actual revenue foregone in the case of tax expenditure). Where payments are not available, commitments or budget appropriations shall be provided and flagged accordingly. Separate figures shall be provided for each aid instrument within a scheme or individual aid (e.g. grant, soft loans, etc.) Figures shall be expressed in the national currency in application at the time of the reporting period. Expenditure shall be provided for t-1, t-2, t-3, t-4, t-5.
14. Aid intensity and beneficiaries
Member States should indicate:
- the effective aid intensity of the support actually granted per type of aid and of region
 - the number of beneficiaries
 - the average amount of aid per beneficiary.

ANNEX III C

INFORMATION TO BE CONTAINED IN THE ANNUAL REPORT TO BE PROVIDED TO THE COMMISSION

The reports shall be provided in computerised form. They shall contain the following information:

1. Title of aid scheme, Commission aid number and reference of the Commission decision
2. Expenditure. The figures have to be expressed in euros or, if applicable, national currency. In the case of tax expenditure, annual tax losses have to be reported. If precise figures are not available, such losses may be estimated. For the year under review indicate separately for each aid instrument within the scheme (e.g. grant, soft loan, guarantee, etc.):
 - 2.1. amounts committed, (estimated) tax losses or other revenue forgone, data on guarantees, etc. for new assisted projects. In the case of guarantee schemes, the total amount of new guarantees handed out should be provided;
 - 2.2. actual payments, (estimated) tax losses or other revenue forgone, data on guarantees, etc. for new and current projects. In the case of guarantee schemes, the following should be provided: total amount of outstanding guarantees, premium income,

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

- recoveries, indemnities paid out, operating result of the scheme under the year under review;
- 2.3. number of assisted projects and/or enterprises;
- 2.4. estimated overall amount of:
- aid granted for the permanent withdrawal of fishing vessels through their transfer to third countries;
 - aid granted for the temporary cessation of fishing activities;
 - aid granted for the renewal of fishing vessels;
 - aid granted for modernisation of fishing vessels;
 - aid granted for the purchase of used vessels;
 - aid granted for socio-economic measures;
 - aid granted to make good damage caused by natural disasters or exceptional occurrences;
 - aid granted to outermost regions;
 - aid granted through parafiscal charges;
- 2.5. regional breakdown of amounts under point 2.1. by regions defined as Objective 1 regions and other areas;
3. Other information and remarks.

Status: Point in time view as at 19/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 794/2004. (See end of Document for details)

- (1) [OJ L 83, 27.3.1999, p. 1](#). Regulation as amended by the 2003 Act of Accession.
- (2) [OJ L 124, 8.6.1971, p. 1](#).
- (3) [OJ L 300, 5.11.2002, p. 42](#).
- (4) [\[^{F1}\[^{X1}OJ C 319, 27.12.2006, p. 1.\]\]](#)
- (5) [\[^{F1}\[^{X1}Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy \(\[OJ L 327, 22.12.2000, p. 1\]\(#\)\).\]\]](#)
- (6) [\[^{F1}\[^{X1}Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy products and electricity; \[OJ L 283, 31.10.2003, p. 51\]\(#\).\]\]](#)
- (7) [\[^{F1}\[^{X1}OJ C 319, 27.12.2006, p. 1.\]\]](#)
- (8) [\[^{F1}\[^{X1}Council Regulation \(EC\) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development \(EAFRD\) \(\[OJ L 277, 21.10.2005, p. 1\]\(#\)\).\]\]](#)
- (9) [\[^{F1}\[^{X1}Council Regulation \(EEC\) No 2019/93 of 19 July 1993 introducing specific measures for the smaller Aegean islands concerning certain agricultural products \(\[OJ L 184, 27.7.1993, p. 1\]\(#\)\).\]\]](#)
- (10) [\[^{F1}\[^{X1}Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources \(\[OJ L 375, 31.12.1991, p. 1\]\(#\)\).\]\]](#)
- (11) [\[^{F1}\[^{X1}‘Processing of agricultural products’ means any operation on an agricultural product resulting in a product which is also an agricultural product, except on farm activities necessary for preparing an animal or plant product for the first sale.\]\]](#)
- (12) [\[^{F1}\[^{X1}‘Marketing of agricultural products’ means holding or display with a view to sale, offering for sale, delivery or any other manner of placing on the market, except the first sale of a primary producer to resellers or processors and any activity preparing a product for such first sale; a sale by a primary producer to final consumers shall be considered as marketing if it takes place in separate premises reserved for that purpose.\]\]](#)
- (13) [\[^{F1}\[^{X1}OJ C 319, 27.12.2006, p. 1.\]\]](#)
- (14) [\[^{F1}\[^{X1}Commission Regulation \(EC\) No 70/2001, 12 January 2001; \(\[OJ L 10, 13.1.2001, p. 33\]\(#\)\).\]\]](#)
- (15) [\[^{F1}\[^{X1}OJ L 302, 1.11.2006, p. 29.\]\]](#)
- (16) [\[^{F1}\[^{X1}OJ C 54, 4.3.2006, p. 13.\]\]](#)
- (17) [\[^{F1}\[^{X1}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; \[OJ L 140, 30.4.2004, p. 1\]\(#\).\]\]](#)
- (18) [\[^{F1}\[^{X1}OJ L 302, 1.11.2006, p. 10.\]\]](#)
- (19) [\[^{F1}\[^{X1}Council Regulation \(EEC\) No 2019/93 \(\[OJ L 184, 27.7.93, p. 1\]\(#\)\).\]\]](#)
- (20) [\[^{F1}\[^{X1}Council Regulation \(EC\) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development \(EAFRD\), \[OJ L 277, 21.10.2005, p. 1\]\(#\)\]\]](#)
- (21) [\[^{F1}\[^{X1}Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises; \(\[OJ L 124, 20.5.2003, p. 36\]\(#\)\).\]\]](#)
- (22) [\[^{F1}\[^{X1}OJ C 319, 27.12.2006, p. 1.\]\]](#)
- (23) [\[^{F1}\[^{X1}Council Regulation \(EC\) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development \(EAFRD\) \(\[OJ L 277, 21.10.2005, p. 1\]\(#\)\).\]\]](#)
- (24) [\[^{F1}\[^{X1}Council Regulation \(EC\) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, \[OJ L 270, 21.10.2003, p. 1\]\(#\)\]\]](#)
- (25) [\[^{F1}\[^{X1}OJ L 270, 21.10.2003, p. 1.\]\]](#)

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*Changes to legislation: There are currently no known outstanding effects for the
Commission Regulation (EC) No 794/2004. (See end of Document for details)*

- (26) ^[F1]^[X1]Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy ([OJ L 327, 22.12.2000, p. 1.](#))[]]
- (27) ^[F1]^[X1][OJ C 319, 27.12.2006, p. 1.](#)[]]
- (28) ^[F1]^[X1]Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds ([OJ L 103, 25.4.1979, p. 1.](#))[]]
- (29) ^[F1]^[X1]Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora ([OJ L 206, 22.7.1992, p. 7.](#))[]]
- (30) ^[F1]^[X1]Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending Regulations (EEC) No 2019/93, (EC) No 1452/2001, (EC) No 1453/2001, (EC) No 1454/2001, (EC) No 1868/94, (EC) No 1251/1999, (EC) No 1254/1999, (EC) No 1673/2000, (EEC) No 2358/71 and (EC) No 2529/2001 ([OJ L 270, 21.10.2003, p. 1.](#))[]]
- (31) ^[F1]^[X1]Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD); [OJ L 277, 21.10.2005, p. 1.](#)[]]
- (32) ^[F1]^[X1][OJ C 319, 27.12.2006, p. 1.](#)[]]
- (33) ^[F1]^[X1]Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations; [OJ L 160, 26.6.1999, p. 80.](#)[]]
- (34) ^[F1]^[X1]Council Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support scheme for farmers ([OJ L 270, 21.10.2003, p. 1.](#))[]]
- (35) ^[F1]^[X1]Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD); ([OJ L 277, 21.10.2005, p. 1.](#))[]]
- (36) ^[F1]^[X1][OJ C 319, 27.12.2006, p. 1](#)[]]
- (37) ^[F1]^[X1][OJ C 319, 27.12.2006, p. 1.](#)[]]
- (38) ^[F1]^[X1]Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD); ([OJ L 277, 21.10.2005, p. 1.](#))[]]
- (39) ^[F1]^[X1][OJ C 319, 27.12.2006, p. 1.](#)[]]
- (40) ^[F1]^[X1]Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) ([OJ L 277, 21.10.2005, p. 1.](#))[]]
- (41) ^[F1]^[X1][OJ C 319, 27.12.2006, p. 1.](#)[]]
- (42) ^[F1]^[X1]Commission Regulation (EC) No 1857/2006 of 15 December 2006 on the application of Articles 87 and 88 of the EC Treaty to State aid to small and medium-sized enterprises active in the production of agricultural products and amending Regulation (EC) 70/2001 ([OJ L 358, 16.12.2006, p. 3.](#))[]]
- (43) ^[F1]^[X1][OJ C 319, 27.12.2006, p. 1.](#)[]]
- (44) ^[F1]^[X1]Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) ([OJ L 277, 21.10.2005, p. 1.](#))[]]
- (45) ^[F1]^[X1][OJ L 358, 16.12.2006, p. 3.](#)[]]
- (46) ^[F1]^[X1][OJ C 319, 27.12.2006, p. 1](#)[]]

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- (47) ^{F1}^{X1}Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs (OJ L 93, 31.3.2006 p. 12).]]
- (48) ^{F1}^{X1}OJ L 179, 14.7.1999, p. 1. Regulation as last amended by Regulation (EC) No 2165/2005. OJ L 345, 28.12.2005, p. 1.]]
- (49) ^{F1}^{X1}OJ L 358, 16.12.2006, p. 3.]]
- (50) ^{F1}^{X1}OJ C 319, 27.12.2006, p. 1]]
- (51) ^{F1}^{X1}Commission Regulation (EC) No 1857/2006 on the application of Articles 87 and 88 of the EC Treaty to State aid to small and medium-sized enterprises active in the production of agricultural products and amending Regulation (EC) 70/2001 (OJ L 358, 16.12.2006, p. 3).]]
- (52) ^{F1}^{X1}OJ C 319, 27.12.2006, p. 1.]]
- (53) ^{F1}^{X1}The description should reflect how the authorities intend to ensure that the aid is given only in respect of the extra cost of transport of goods inside national borders, is calculated on the basis of the most economical form of transport and the shortest route between the place of production or processing and commercial outlets, and cannot be given towards the transport of the products of businesses without an alternative location.]]
- (54) ^{F1}^{X1}Foreseen in Article 21 of Regulation (EC) No 247/2006 (OJ L 42, 14.2.2006, p. 1).]]
- (55) ^{F1}^{X1}OJ C 319, 27.12.2006, p. 1.]]
- (56) ^{F1}^{X1}That is, farmers to the exclusion of processing and marketing undertakings.]]
- (57) ^{F1}^{X1}Under Article 11(10) of the Exemption Regulation, aid must be disbursed within four years after the expenses or losses have been incurred.]]
- (58) ^{F1}^{X1}The reference to crops does not mean that livestock are excluded from aid. The principles set out in point V.B.3 of the Guidelines will apply mutatis mutandis to aid intended to compensate for losses involving livestock due to adverse weather.]]
- (59) ^{F1}^{X1}Commission Regulation (EC) No 1857/2006 of 15 December 2006 on the application of Articles 87 and 88 of the EC Treaty to State aid to small and medium-sized enterprises active in the production of agricultural products and amending Regulation (EC) No 70/2001. Under point 126 of the guidelines, the Commission will declare aid granted for losses due to adverse weather conditions compatible with Article 87(3)(c) of the Treaty, if all conditions of Article 11 of Regulation (EC) No 1857/2006 are met.]]
- (60) ^{F1}^{X1}Normal gross annual production should be calculated either in proportion to the mean production of a farmer determined over the three preceding years or in proportion to the three-yearly average based on the five preceding years and excluding the top and bottom value. Other methods of calculating normal production (including regional reference figures) may however be accepted, provided that they are representative and not based on abnormally high production figures.]]
- (61) ^{F1}^{X1}This rate applies to the amount of aid as calculated according to the method indicated under 2.6 or 2.8, minus any insurance payments and normal costs not faced by the farmer, plus extra costs faced by the farmer as a result of the exceptional event.]]
- (62) ^{F1}^{X1}This rate applies to less-favoured areas or the areas referred to in Article 36(a)(i), (ii) and (iii) of Regulation (EC) No 1698/2005.]]
- (63) ^{F1}^{X1}Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).]]
- (64) ^{F1}^{X1}OJ C 319, 27.12.2006, p. 1.]]
- (65) ^{F1}^{X1}Under Article 10(8) of the Exemption Regulation (Commission Regulation (EC) No 1857/2006 of 15 December 2006 on the application of Articles 87 and 88 of the EC Treaty to State aid to small and medium-sized enterprises active in the production of agricultural products and amending Regulation (EC) No 70/2001, aid must be introduced within three years after the expenses or losses have been incurred. The aid must be disbursed within four years after the expenses or losses have been incurred.]]

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- (66) ^{F1}^{X1}The programme must contain clear definitions of the diseases and parasitic infections, together with a description of the measures envisaged.]]
- (67) ^{F1}^{X1}[OJ C 319, 27.12.2006, p. 1.](#)]]
- (68) ^{F1}^{X1}Commission Regulation (EC) No 1857/2006 of 15 December 2006 on the application of Articles 87 and 88 of the EC Treaty to State aid to small and medium-sized enterprises active in the production of agricultural products and amending Regulation (EC) 70/2001.]]
- (69) ^{F1}^{X1}[OJ C 319, 27.12.2006, p. 1.](#)]]
- (70) ^{F1}^{X1}Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control ([OJ L 257, 10.10.1996, p. 26.](#))]
- (71) ^{F1}^{X1}Community guidelines on State aid for rescuing and restructuring firms in difficulty ([OJ C 244, 1.10.2004, p. 2.](#))]
- (72) ^{F2}^{X2}[OJ C 319, 27.12.2006, p. 1.](#)]]
- (73) ^{F2}^{X2}Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) ([OJ L 277, 21.10.2005, p. 1.](#))]
- (74) ^{F2}^{X2}[OJ L 109, 6.5.2000, p. 29.](#)]]
- (75) ^{F2}^{X2}Council Regulation (EC) No 2702/1999 of 14 December 1999 on measures to provide information on, and to promote, agricultural products in third countries ([OJ L 327, 21.12.1999, p. 7.](#))]
- (76) ^{F2}^{X2}Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy products and electricity ([OJ L 283, 31.10.2003, p. 51.](#))]
- (77) ^{F2}^{X2}[OJ C 319, 27.12.2006, p. 1.](#)]]
- (78) ^{F2}^{X2}Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) ([OJ L 277, 21.10.2005, p. 1.](#))]
- (79) t is the year in which the data are requested.
- (80) NACE Rev.1.1 is the Statistical classification of economic activities in the European Community.
- (81) NUTS is the nomenclature of territorial units for statistical purposes in the Community.
- (82) t is the year in which the data are requested
- (83) NACE Rev.1.1 is the Statistical classification of economic activities in the European Community.

Editorial Information

- X1** Substituted by Corrigendum to Commission Regulation (EC) No 1935/2006 of 20 December 2006 amending Regulation (EC) No 794/2004 implementing Council Regulation (EC) No 659/1999 laying down detailed rules for the application of Article 93 of the EC Treaty (Official Journal of the European Union L 407 of 30 December 2006).
- X2** Inserted by Corrigendum to Commission Regulation (EC) No 1935/2006 of 20 December 2006 amending Regulation (EC) No 794/2004 implementing Council Regulation (EC) No 659/1999 laying down detailed rules for the application of Article 93 of the EC Treaty (Official Journal of the European Union L 407 of 30 December 2006).

Textual Amendments

- F1** Substituted by Commission Regulation (EC) No 1935/2006 of 20 December 2006 amending Regulation (EC) No 794/2004 implementing Council Regulation (EC) No 659/1999 laying down detailed rules for the application of Article 93 of the EC Treaty.

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F2 Inserted by Commission Regulation (EC) No 1935/2006 of 20 December 2006 amending Regulation (EC) No 794/2004 implementing Council Regulation (EC) No 659/1999 laying down detailed rules for the application of Article 93 of the EC Treaty.

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