

Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (Text with EEA relevance)

CHAPTER III

**SPECIFIC PROVISIONS FOR DIFFERENT CATEGORIES OF AID**

*SECTION 1*

***Regional aid***

*Subsection A*

***Regional investment and operating aid***

*Article 15*

**Regional operating aid**

1 Regional operating aid schemes in outermost regions and sparsely populated areas as designated by the Member States within their regional aid map approved by the Commission in accordance with paragraph 161 of the Guidelines on regional State aid for 2014-2020<sup>(1)</sup> shall be compatible with the internal market within the meaning of Article 107(3) of the Treaty and shall be exempted from the notification requirement of Article 108(3) of the Treaty, provided that the conditions laid down in this Article and in Chapter I are fulfilled.

- 2 The regional operating aid schemes shall compensate for:
- a the additional transport costs of goods which have been produced in areas eligible for operating aid, as well as additional transport costs of goods that are further processed in these areas, under the following conditions:
    - (i) the beneficiaries have their production activity in those areas;
    - (ii) the aid is objectively quantifiable in advance on the basis of a fixed sum or per tonne/kilometre ratio or any other relevant unit;
    - (iii) these additional transport costs are calculated on the basis of the journey of the goods inside the national border of the Member State concerned using the means of transport which results in the lowest costs for the beneficiary. Only for outermost regions, additional transport costs of goods that are further processed in these areas may include the costs of transporting goods from any place of their production to these areas.
  - b the additional operating costs other than transport costs, incurred in outermost regions as a direct effect of one or several of the permanent handicaps referred to in Article 349 of the Treaty, under the following conditions:
    - (i) the beneficiaries have their economic activity in an outermost region;

- (ii) the annual aid amount per beneficiary under all operating aid schemes does not exceed:
- 15 % of the gross value added annually created by the beneficiary in the outermost region concerned; or
  - 25 % of the annual labour costs incurred by the beneficiary in the outermost region concerned; or
  - 10 % of the annual turnover of the beneficiary realised in the outermost region concerned.

3 The aid intensity shall not exceed 100 % of the eligible additional costs as determined in this Article.

(1) [OJ C 209, 23.7.2013, p. 1.](#)