

## ANNEX

### **Services of General Economic Interest: guidance for report to be submitted following the 2012 SGEI Decision and the 2012 SGEI framework**

**The reporting obligations** are set out in the Article 9 of the 2012 SGEI Decision:

*Each Member State shall submit a report on the implementation of this Decision to the Commission every 2 years. The reports shall provide a detailed overview of the application of this Decision for the different categories of services referred to in Article 2(1), including:*

*(a) a description of the application of this Decision to the services falling within its scope, including in-house activities;*

*(b) the total amount of aid granted in accordance with this Decision, with a breakdown by the economic sector of the beneficiaries;*

*(c) an indication of whether, for a particular type of service, the application of this Decision has given rise to difficulties or complaints by third parties; and*

*(d) any other information concerning the application of this Decision required by the Commission and to be specified in due time before the report is to be submitted.*

Paragraph 62 of the 2012 SGEI Framework sets in principle identical reporting obligations for aid granted under the 2012 SGEI Framework.

Please structure your report as follows:

#### **1. EXPENDITURE OVERVIEW**

Please complete the following table:

<b>Total SGEI government expenditure by legal basis (millions EUR)</b>		
	2020	2021
<b><i>Total compensation for Services of General Economic Interest (1+2)</i></b>	<b>6.28</b>	<b>8.58</b>
(1) Total compensation granted on the basis of the SGEI Decision	<b>6.28</b>	<b>8.58</b>
(2) Total compensation granted on the basis of the SGEI Framework	<b>N/A</b>	<b>N/A</b>

#### **2. DESCRIPTION OF THE APPLICATION OF THE 2012 SGEI DECISION**

**Please structure this part of your report by the following sections:**

- 1) Hospitals providing medical care, including, where applicable, emergency services (Art. 2(1)(b))

- 2) Social services (Art. 2(1)(c))
  - a) Health and long term care
  - b) Childcare
  - c) Access to and reintegration into the labour market
  - d) Social housing
  - e) Care and social inclusion of vulnerable groups
  - f) Other social services (if applicable)
- 3) Air or maritime links to islands with average annual traffic not exceeding the limit set in Art. 2(1)(d)
- 4) Airports and ports with average annual traffic not exceeding the limit set in Art. 2(1)(e)
- 5) SGEI compensation not exceeding an annual amount EUR 15 million (Art. 2(1)(a))
  - a) Postal services
  - b) Energy
  - c) Waste collection
  - d) Water supply
  - e) Culture
  - f) Financial services
  - g) Other sectors (please specify)

**For each of the items outlined above please provide information in the form of the following table:**

Section (for example 1, hospitals or 2b, childcare)
Energy - category 5)(b)
Clear and comprehensive description of how the respective services are organized in your Member State <sup>1</sup>
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list <b>the contents of the services entrusted as SGEI</b> as clearly as possible.

<sup>1</sup> If in a certain sector only a small number of individual SGEIs exist in your Member State, we appreciate a detailed description of those services. **If a large number of services are entrusted in a**

Enemalta plc (“Enemalta”) performs the functions of Distribution System Operator (DSO) and that of the sole supplier of electricity to final customers in Malta. Thus, Enemalta is responsible for the distribution of electricity to an entire country. This means that it was essential to reinforce and improve, on an ongoing basis, the technical resilience of the electricity distribution system in order to safeguard the national electricity distribution system in the general interest.

In so far as the provision by Enemalta of technical security is concerned, including in its capacity as a DSO, neither the EU energy legislation nor national legislation imposes a methodology or standard for achieving this objective. National energy legislation sets out a generic obligation without requiring compliance with the N-1 standard. If it were considering its commercial interests alone, Enemalta would not assume this obligation.

Thus, the procurement and maintenance of a level of redundancy in relation to certain elements of the national electricity distribution system in order to maintain compliance with the N-1 standard towards enhanced technical safety, surpasses what is required to be provided by Enemalta, whether at law or, as a commercial consideration. A public service obligation was therefore necessitated to mandate the ‘additional’ or ‘special’ obligation for a specific technical standard.

It is considered that the development and delivery of a specific technical standard to ensure and maintain a reliable national electricity distribution system as being an essential service in the general economic interest (SGEI).

As a consequence, Enemalta was entrusted with a public service obligation to maintain an added level of technical safety, by procuring and maintaining a level of redundancy in relation to certain elements of the national electricity distribution system compliant with the N-1 standard (the “PSO”) in terms of the SGEI Commission Decision.

Explanation of the (typical) **forms of entrustment**. If standardized templates for entrustments are used for a certain sector, please attach them.

**Letter of Entrustment of Enemalta plc with the Delivery of a Public Service Obligation**

**Average duration of the entrustment (in years)** and the proportion of entrustments that are **longer than 10 years** (in %) per sector. Specify in which sectors SGEI were entrusted with a duration exceeding 10 years and explain how this duration is justified?

specific sector in your Member State (for example because the competence lies with regional or local authorities), individual details of the entrustments would be disproportionate, but a clear and concise general description of the way the sector is organised including the common features of the individual entrustments remains crucial.

The term of entrustment of the PSO is for an initial period of eight (8) years effective from the 1 January 2020. The term may be extended once, for an additional term of two (2) years.
Explanation whether (typically) <b>exclusive or special rights</b> are assigned to the undertakings.
N/A
Which <b>aid instruments</b> have been used (direct subsidies, guarantees, etc.)?
<b>Direct subsidy - A direct payment by way of financial compensation</b>
Typical <b>compensation mechanism</b> as regards the respective services and whether a methodology based on cost allocation or the net avoided cost methodology is used.
<p>The compensation mechanism has been established in accordance with the principles of the SGEI Decision. In any event, the PSO Compensation shall in the average not exceed fifteen million Euros (€15,000,000) per annum.</p> <p>The PSO Compensation shall be solely and exclusively used to meet the costs and expenses that relate to the provision of the PSO and for no other reason, purpose or scope whatsoever.</p> <p>The Government of Malta may initiate, by means of written notice to this effect served on Enemalta, a procedure to review the PSO Compensation where the Government requires Enemalta to revise the Projected Works. Such review shall in no case establish a compensation mechanism in favour of Enemalta which provides for any form of ‘overcompensation’ whatsoever as defined in the SGEI Decision.</p> <p>Enemalta shall ensure that its accounts shall differentiate between the costs and revenue relating to the provision of the PSO from the rest of the services provided by it, in accordance with Article 5 of the SGEI Decision. In particular, Enemalta shall ensure that its accounts have due regard to the principle of differentiation of costs, separating costs relating to the PSO from other costs relating to services or activities carried out by Enemalta.</p>
<b>Typical arrangements for avoiding and repaying any overcompensation.</b>
<p>Regular checks (and as a minimum once every year) shall be carried out by Government of Malta in order to ensure that Enemalta shall not receive Compensation in excess of the amount determined in terms of the Letter of Entrustment.</p> <p>In the event that the PSO payment exceeds the PSO Compensation, Enemalta shall be liable to refund such overcompensation to Government at the latter’s first demand.</p>

**Where the amount of overcompensation does not exceed 10 % of the amount of the average annual PSO Compensation due, such overcompensation shall be carried forward to the next period and deducted from the amount of PSO Compensation payable in respect of that period.**

A short explanation of how the **transparency requirements** (see Article 7 of the 2012 SGEI Decision) for the aid above 15 million euro to undertakings that also have activities outside the scope of the SGEI are being complied with. In your answer please also include some relevant examples of information published for this purpose (e.g. some links to websites or other references), indicate whether you have a central website on which you publish this information for all aid measures concerned in your Member State (and if so provide the link to this website), or alternatively explain if and how the publication takes place at the level granting the aid (e.g. central, regional or local level).

**Such information is accessible from:**

<https://eufunds.gov.mt/en/SAMB/Pages/Other.aspx>

#### **Amount of aid granted**

**Total amount of aid granted (in millions EUR)<sup>2</sup>.** This includes all aid granted in your territory, including aid granted by regional and local authorities. (A+B+C)

<b>2020</b>	<b>2021</b>
<b>6.28</b>	<b>8.58</b>
<b>A: Total amount of aid granted (in millions EUR) paid by national central authorities<sup>3</sup></b>	
<b>2020</b>	<b>2021</b>
<b>6.28</b>	<b>8.58</b>
<b>B: Total amount of aid granted (in millions EUR) paid by regional authorities<sup>4</sup></b>	
<b>2020</b>	<b>2021</b>
<b>N/A</b>	<b>N/A</b>
<b>C: Total amount of aid granted (in millions EUR) paid by local authorities<sup>5</sup></b>	
<b>2020</b>	<b>2021</b>
<b>N/A</b>	<b>N/A</b>
<b>Share of expenditure per aid instrument (direct subsidy, guarantees etc.) (if available)</b>	
<b>2020</b>	<b>2021</b>

<sup>2</sup> As stipulated in Article 9(b) of the 2012 SGEI Decision.

<sup>3</sup> If the aid amount cannot be split between central, regional and local authorities only the total amount of aid granted for all authorities should be reported.

<sup>4</sup> See footnote3.

<sup>5</sup> See footnote3.

N/A	N/A
<b>Additional quantitative information</b> (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings) <sup>6</sup>	
<b>2020</b>	<b>2021</b>
N/A	N/A

**Please also fill out the annexed summary excel file “SGEI Decision 2020 2021” with the total amounts per section for the whole Member State (not per region, local authority or municipality).**

### **3. DESCRIPTION OF THE APPLICATION OF THE 2012 SGEI FRAMEWORK**

**Please structure this part of your report by the following sections:**

SGEI compensation exceeding EUR 15 million, falling outside the SGEI Decision (please specify the Commission decision approving each measure if applicable):

- i. Postal services
- ii. Energy
- iii. Waste collection
- iv. Water supply
- v. Air or maritime links to islands with average annual traffic above the limits set in Art. 2(1)(d)
- vi. Airports and ports with average annual traffic above the limit set in Art. 2(1)(e)
- vii. Culture
- viii. Financial services
- ix. Other sectors (please specify)

**For each of the items outlined above please provide information in the form of the following table:**

<sup>6</sup> The Commission would welcome any data that you might have on aid granted under the 2012 SGEI Decision, for example the number of beneficiaries per sector, average amount of aid, amount per aid instrument, size of the undertakings, etc. Should such other quantitative information data not be readily available in your Member State, they can of course be presented in a more aggregated and/or estimated way. In that case please indicate that estimations have been used as well as the type of aggregation made.

<b>Section (for example iii. Waste collection or viii. Financial services)</b>
N/A
<b>Clear and comprehensive description of how the respective services are organized in your Member State<sup>7</sup></b>
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list <b>the contents of the services entrusted as SGEI</b> as clearly as possible.
N/A
Explanation of the (typical) <b>forms of entrustment</b> . If standardized templates for entrustments are used for a certain sector, please attach them.
N/A
<b>Average duration of the entrustment (in years)</b> and the proportion of entrustments that are <b>longer than 10 years</b> (in %) per sector. Specify in which sectors SGEI were entrusted with a duration exceeding 10 years and explain how this duration is justified?
N/A
Explanation whether (typically) <b>exclusive or special rights</b> are assigned to the undertakings.
N/A
Which <b>aid instruments</b> have been used (direct subsidies, guarantees, etc.)?
N/A
Typical <b>compensation mechanism</b> as regards the respective services and whether a methodology based on cost allocation or the net avoided cost methodology is used.
N/A
<b>Typical arrangements for avoiding and repaying any overcompensation.</b>
N/A

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<sup>7</sup> If in a certain sector only a small number of individual SGEIs exist in your Member State, we appreciate a detailed description of those services. If a large number of services are entrusted in a specific sector in your Member State (for example because the competence lies with regional or local authorities), individual details of the entrustments would be disproportionate, but a clear and concise general description of the way the sector is organised including the common features of the individual entrustments remains crucial. Since cases falling under the SGEI Framework will be limited in number, the Commission expects a detailed description of each concrete measure.

<p>A short explanation of how the <b>transparency requirements</b> (see Paragraph 60 of the 2012 SGEI Framework) are being complied with. In your answer please also include some relevant examples of information published for this purpose (e.g. some links to websites or other references), indicate whether you have a central website on which you publish this information for all aid measures concerned in your Member State (and if so provide the link to this website), or alternatively explain if and how the publication takes place at the level granting the aid (e.g. central, regional or local level).</p>	
N/A	
<b>Amount of aid granted</b>	
<b>Total amount of aid granted (in millions EUR)<sup>8</sup>. This includes all aid granted in your territory, including aid granted by regional and local authorities. (A+B+C)</b>	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>A: Total amount of aid granted (in millions EUR) paid by national central authorities<sup>9</sup></b>	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>B: Total amount of aid granted (in millions EUR) paid by regional authorities<sup>10</sup></b>	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>C: Total amount of aid granted (in millions EUR) paid by local authorities<sup>11</sup></b>	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>Share of expenditure per aid instrument (direct subsidy, guarantees etc.) (if available)</b>	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>Additional quantitative information (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings)<sup>12</sup></b>	

<sup>8</sup> As stipulated in Paragraph 62 b) of the 2012 SGEI Framework.

<sup>9</sup> If the aid amount cannot be split between central, regional and local authorities only the total amount of aid granted for all authorities should be reported.

<sup>10</sup> See footnote 9.

<sup>11</sup> See footnote 9.

<sup>12</sup> The Commission would welcome any data that you might have on aid granted under the 2012 SGEI Decision, for example the number of beneficiaries per sector, average amount of aid, amount per aid instrument, size of the undertakings, etc. Should such other quantitative information data not be readily available in your Member



2020	2021
N/A	N/A

**Please also fill out the annexed summary excel file “SGEI Framework 2020 2021” with the total amounts per section for the whole Member State (not per region, local authority or municipality).**

#### 4. COMPLAINTS BY THIRD PARTIES

Please provide an overview of complaints by third parties, in particular litigation before national courts, regarding measures in scope of the 2012 SGEI Decision or 2012 SGEI Framework. Please be as specific as possible in your reply and include the sector for which you have received the complaints, the contents of the complaints and the possible follow-up by your authorities or the likely outcome of the court proceedings.

N/A

#### 5. MISCELLANEOUS QUESTIONS

a. We kindly invite you to indicate whether your authorities have experienced difficulties in applying the 2012 SGEI Decision and ask you to in particular consider the following issues:

- drawing up an entrustment act that complies with Article 4 of the SGEI Decision;
- specifying the amount of compensation in line with Article 5 of the SGEI Decision;
- determining the reasonable profit level in line with Article 5(5)-(8) of the SGEI Decision;
- regularly checking overcompensation as required by Article 6 of the SGEI Decision;

Please be as specific as possible in your reply, include relevant examples and, if applicable, the sector for which the difficulties are (most) relevant.

N/A

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State, they can of course be presented in a more aggregated and/or estimated way. In that case please indicate that estimations have been used as well as the type of aggregation made.

b. We kindly invite you to indicate whether your authorities have experienced difficulties in applying the 2012 SGEI Framework and ask you to in particular consider the following issues:

- carrying out a public consultation in line with paragraph 14 of the SGEI Framework;
- complying with public procurement rules in line with para 19 of the SGEI Framework;
- determining the net avoided cost as required by paras 25-27 of the SGEI Framework;
- determining the reasonable profit level in line with paras 33-38 of the SGEI Framework;

Please be as specific as possible in your reply, include relevant examples and, if applicable, the sector for which the difficulties are (most) relevant.

N/A

c. If you have any other comments on the application of the SGEI Decision and the SGEI Framework on issues other than the ones covered in the previous questions please feel free to provide them below.

N/A

## ANNEX

### Services of General Economic Interest: guidance for report to be submitted following the 2012 SGEI Decision and the 2012 SGEI framework

The reporting obligations are set out in the Article 9 of the 2012 SGEI Decision:

*Each Member State shall submit a report on the implementation of this Decision to the Commission every 2 years. The reports shall provide a detailed overview of the application of this Decision for the different categories of services referred to in Article 2(1), including:*

*(a) a description of the application of this Decision to the services falling within its scope, including in-house activities;*

*(b) the total amount of aid granted in accordance with this Decision, with a breakdown by the economic sector of the beneficiaries;*

*(c) an indication of whether, for a particular type of service, the application of this Decision has given rise to difficulties or complaints by third parties; and*

*(d) any other information concerning the application of this Decision required by the Commission and to be specified in due time before the report is to be submitted.*

Paragraph 62 of the 2012 SGEI Framework sets in principle identical reporting obligations for aid granted under the 2012 SGEI Framework.

Please structure your report as follows:

#### **1. EXPENDITURE OVERVIEW**

Please complete the following table:

<b>Total SGEI government expenditure by legal basis (millions EUR)</b>		
	2020	2021
<b><i>Total compensation for Services of General Economic Interest (1+2)</i></b>	<b><i>N/A</i></b>	<b><i>10.00</i></b>
(1) Total compensation granted on the basis of the SGEI Decision	<b><i>N/A</i></b>	<b><i>10.00</i></b>
(2) Total compensation granted on the basis of the SGEI Framework	<b><i>N/A</i></b>	<b><i>N/A</i></b>

#### **2. DESCRIPTION OF THE APPLICATION OF THE 2012 SGEI DECISION**

Please structure this part of your report by the following sections:

- 1) Hospitals providing medical care, including, where applicable, emergency services (Art. 2(1)(b))

- 2) Social services (Art. 2(1)(c))
  - a) Health and long term care
  - b) Childcare
  - c) Access to and reintegration into the labour market
  - d) Social housing
  - e) Care and social inclusion of vulnerable groups
  - f) Other social services (if applicable)
- 3) Air or maritime links to islands with average annual traffic not exceeding the limit set in Art. 2(1)(d)
- 4) Airports and ports with average annual traffic not exceeding the limit set in Art. 2(1)(e)
- 5) SGEI compensation not exceeding an annual amount EUR 15 million (Art. 2(1)(a))
  - a) Postal services
  - b) Energy
  - c) Waste collection
  - d) Water supply
  - e) Culture
  - f) Financial services
  - g) Other sectors (please specify)

**For each of the items outlined above please provide information in the form of the following table:**

Section (for example 1, hospitals or 2b, childcare)
<b>5b Energy</b>
Clear and comprehensive description of how the respective services are organized in your Member State <sup>1</sup>
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list <b>the contents of the services entrusted as SGEI</b> as clearly as possible.

<sup>1</sup> If in a certain sector only a small number of individual SGEIs exist in your Member State, we appreciate a detailed description of those services. **If a large number of services are entrusted in a specific sector in your Member State (for example because the competence lies with regional or local**

<p><b>This public service obligation deals with the following in public areas:</b></p> <ol style="list-style-type: none"> <li><b>1. Provision of ‘Green’ Energy Efficient Public Lighting</b></li> <li><b>2. Provision of Standardised Public Lighting Equipment and Infrastructure</b></li> <li><b>3. Maintenance and Inspection of Public Lighting Equipment and Infrastructure</b></li> </ol>
<p>Explanation of the (typical) <b>forms of entrustment</b>. If standardized templates for entrustments are used for a certain sector, please attach them.</p>
<p><b>Act of Entrustment</b></p>
<p><b>Average duration of the entrustment (in years)</b> and the proportion of entrustments that are <b>longer than 10 years</b> (in %) per sector. Specify in which sectors SGEI were entrusted with a duration exceeding 10 years and explain how this duration is justified?</p>
<p><b>10 years</b></p>
<p>Explanation whether (typically) <b>exclusive or special rights</b> are assigned to the undertakings.</p>
<p><b>N/A</b></p>
<p>Which <b>aid instruments</b> have been used (direct subsidies, guarantees, etc.)?</p>
<p><b>Cash grant</b></p>
<p>Typical <b>compensation mechanism</b> as regards the respective services and whether a methodology based on cost allocation or the net avoided cost methodology is used.</p>
<p><b>Advances will be made in favour of Enemalta by way of compensation to it, in terms of the compensation mechanism established and detailed in the Agreement, which mechanism has been established <i>ex ante</i> and is to continue to be in accordance with the SGEI Decision. The Compensation established shall be solely and exclusively used to meet the part of the costs, expenses and reasonable profit, that relate to the provision of the Public Service Obligation in accordance with the Agreement and for no other reason, purpose or scope whatsoever.</b></p> <p><b>Enemalta shall ensure that its accounts shall differentiate between the costs and revenue relating to the provision of the Public Service Obligation from the rest of the services provided by it which do not qualify as a service of general economic interest in accordance with Article 5 of the SGEI Decision.</b></p>

authorities), individual details of the entrustments would be disproportionate, but a clear and concise general description of the way the sector is organised including the common features of the individual entrustments remains crucial.

In particular, Enemalta shall ensure that its accounts have due regard to the principle of differentiation of costs, separating costs relating to the Public Service Obligation from other costs relating to services or activities carried out by Enemalta.

Without prejudice to any review of the Compensation in accordance with the Agreement, the Compensation shall not exceed €15,000,000 per annum, on average throughout the Term of the Agreement.

#### **Typical arrangements for avoiding and repaying any overcompensation.**

Enemalta shall invoice for the prepaid Compensation due for the Public Service Obligation at the beginning of each respective year. A break down and explanation of the Compensation being invoiced is to be presented with each invoice issued by Enemalta for payment by the Government of Malta. The prepaid compensation paid at beginning of the year will then be reconciled with invoices for actual works at the end of the financial year.

During the term of the Agreement, the Government of Malta may initiate, by means of written notice to this effect served on Enemalta, a procedure to review the Compensation where the former requires Enemalta to revise the Public Service Obligation, provided that such review shall in no case establish a compensation mechanism in favour of Enemalta which provides for any form of ‘overcompensation’ whatsoever as defined in the SGEI Decision.

The Charges shall as a minimum increase on an annual basis by the cumulative increase in the Harmonised Index of Consumer prices (HICP). The Charges shall automatically increase from the month immediately following the date when the HICP is issued by the Malta National Statistics Office or any entity that replaces such office or takes over its function. Moreover, any major changes in the prices of direct material and labour costs, used in providing the services covered by this Agreement, established through new framework agreements or otherwise shall be reflected through a revision of costs outlined in one of the schedules to the Agreement, based on the effective date of the said framework agreement or otherwise.

Regular checks as determined by the Government of Malta, and as a minimum, once every three years, shall be carried out by Government in order to ensure that Enemalta shall not receive Compensation in excess of the determined amount in terms of the Agreement. If at any time it transpires that Enemalta will have been overcompensated by Government, Enemalta shall be liable to refund such overcompensation to Government at the latter’s first demand.

A short explanation of how the **transparency requirements** (see Article 7 of the 2012 SGEI Decision) for the aid above 15 million euro to undertakings that also have activities outside the scope of the SGEI are being complied with. In your answer please also include some relevant examples of information published for this purpose (e.g. some links to websites or other references), indicate whether you have a central website on which you publish this information for all aid measures concerned in your Member State (and if so provide the link to this website), or alternatively explain if and how the publication takes place at the level granting the aid (e.g. central, regional or local level).

<b>This information will be published on</b> <a href="https://eufunds.gov.mt/en/SAMB/Pages/Other.aspx">https://eufunds.gov.mt/en/SAMB/Pages/Other.aspx</a>	
<b>Amount of aid granted</b>	
<b>Total amount of aid granted (in millions EUR)<sup>2</sup>.</b> This includes all aid granted in your territory, including aid granted by regional and local authorities. (A+B+C)	
<b>2020</b>	<b>2021</b>
N/A	10.00
<b>A: Total amount of aid granted (in millions EUR) paid by national central authorities<sup>3</sup></b>	
<b>2020</b>	<b>2021</b>
N/A	10.00
<b>B: Total amount of aid granted (in millions EUR) paid by regional authorities<sup>4</sup></b>	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>C: Total amount of aid granted (in millions EUR) paid by local authorities<sup>5</sup></b>	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>Share of expenditure per aid instrument</b> (direct subsidy, guarantees etc.) (if available)	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>Additional quantitative information</b> (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings) <sup>6</sup>	
<b>2020</b>	<b>2021</b>
N/A	N/A

<sup>2</sup> As stipulated in Article 9 b) of the 2012 SGEI Decision.

<sup>3</sup> If the aid amount cannot be split between central, regional and local authorities only the total amount of aid granted for all authorities should be reported.

<sup>4</sup> See footnote 3.

<sup>5</sup> See footnote 3.

<sup>6</sup> The Commission would welcome any data that you might have on aid granted under the 2012 SGEI Decision, for example the number of beneficiaries per sector, average amount of aid, amount per aid instrument, size of the undertakings, etc. Should such other quantitative information data not be readily available in your Member State, they can of course be presented in a more aggregated and/or estimated way. In that case please indicate that estimations have been used as well as the type of aggregation made.

**Please also fill out the annexed summary excel file “SGEI Decision 2020 2021” with the total amounts per section for the whole Member State (not per region, local authority or municipality).**

### **3. DESCRIPTION OF THE APPLICATION OF THE 2012 SGEI FRAMEWORK**

**Please structure this part of your report by the following sections:**

SGEI compensation exceeding EUR 15 million, falling outside the SGEI Decision (please specify the Commission decision approving each measure if applicable):

- i. Postal services
- ii. Energy
- iii. Waste collection
- iv. Water supply
- v. Air or maritime links to islands with average annual traffic above the limits set in Art. 2(1)(d)
- vi. Airports and ports with average annual traffic above the limit set in Art. 2(1)(e)
- vii. Culture
- viii. Financial services
- ix. Other sectors (please specify)

**For each of the items outlined above please provide information in the form of the following table:**

<b>Section (for example iii. Waste collection or viii. Financial services)</b>
N/A
<b>Clear and comprehensive description of how the respective services are organized in your Member State<sup>7</sup></b>
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list <b>the contents of the services entrusted as SGEI</b> as clearly as possible.

<sup>7</sup> If in a certain sector only a small number of individual SGEIs exist in your Member State, we appreciate a detailed description of those services. If a large number of services are entrusted in a specific sector in your Member State (for example because the competence lies with regional or local authorities), individual details of the entrustments would be disproportionate, but a clear and concise general description of the way the sector is organised including the common features of the individual



N/A	
Explanation of the (typical) <b>forms of entrustment</b> . If standardized templates for entrustments are used for a certain sector, please attach them.	
N/A	
<b>Average duration of the entrustment (in years)</b> and the proportion of entrustments that are <b>longer than 10 years</b> (in %) per sector. Specify in which sectors SGEI were entrusted with a duration exceeding 10 years and explain how this duration is justified?	
N/A	
Explanation whether (typically) <b>exclusive or special rights</b> are assigned to the undertakings.	
N/A	
Which <b>aid instruments</b> have been used (direct subsidies, guarantees, etc.)?	
N/A	
Typical <b>compensation mechanism</b> as regards the respective services and whether a methodology based on cost allocation or the net avoided cost methodology is used.	
N/A	
<b>Typical arrangements for avoiding and repaying any overcompensation.</b>	
A short explanation of how the <b>transparency requirements</b> (see Paragraph 60 of the 2012 SGEI Framework) are being complied with. In your answer please also include some relevant examples of information published for this purpose (e.g. some links to websites or other references), indicate whether you have a central website on which you publish this information for all aid measures concerned in your Member State (and if so provide the link to this website), or alternatively explain if and how the publication takes place at the level granting the aid (e.g. central, regional or local level).	
N/A	
<b>Amount of aid granted</b>	
<b>Total amount of aid granted (in millions EUR)<sup>8</sup>. This includes all aid granted in your territory, including aid granted by regional and local authorities. (A+B+C)</b>	
<b>2020</b>	<b>2021</b>

entrustments remains crucial. Since cases falling under the SGEI Framework will be limited in number, the Commission expects a detailed description of each concrete measure.

<sup>8</sup> As stipulated in Paragraph 62 b) of the 2012 SGEI Framework.

N/A	N/A
<b>A: Total amount of aid granted (in millions EUR) paid by national central authorities<sup>9</sup></b>	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>B: Total amount of aid granted (in millions EUR) paid by regional authorities<sup>10</sup></b>	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>C: Total amount of aid granted (in millions EUR) paid by local authorities<sup>11</sup></b>	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>Share of expenditure per aid instrument (direct subsidy, guarantees etc.) (if available)</b>	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>Additional quantitative information (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings)<sup>12</sup></b>	
<b>2020</b>	<b>2021</b>
N/A	N/A

**Please also fill out the annexed summary excel file “SGEI Framework 2020 2021” with the total amounts per section for the whole Member State (not per region, local authority or municipality).**

#### **4. COMPLAINTS BY THIRD PARTIES**

Please provide an overview of complaints by third parties, in particular litigation before national courts, regarding measures in scope of the 2012 SGEI Decision or 2012 SGEI Framework. Please be as specific as possible in your reply and include the sector for which you have received

<sup>9</sup> If the aid amount cannot be split between central, regional and local authorities only the total amount of aid granted for all authorities should be reported.

<sup>10</sup> See footnote 9.

<sup>11</sup> See footnote 9.

<sup>12</sup> The Commission would welcome any data that you might have on aid granted under the 2012 SGEI Decision, for example the number of beneficiaries per sector, average amount of aid, amount per aid instrument, size of the undertakings, etc. Should such other quantitative information data not be readily available in your Member State, they can of course be presented in a more aggregated and/or estimated way. In that case please indicate that estimations have been used as well as the type of aggregation made.

the complaints, the contents of the complaints and the possible follow-up by your authorities or the likely outcome of the court proceedings.

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## 5. MISCELLANEOUS QUESTIONS

a. We kindly invite you to indicate whether your authorities have experienced difficulties in applying the 2012 SGEI Decision and ask you to in particular consider the following issues:

- drawing up an entrustment act that complies with Article 4 of the SGEI Decision;
- specifying the amount of compensation in line with Article 5 of the SGEI Decision;
- determining the reasonable profit level in line with Article 5(5)-(8) of the SGEI Decision;
- regularly checking overcompensation as required by Article 6 of the SGEI Decision;

Please be as specific as possible in your reply, include relevant examples and, if applicable, the sector for which the difficulties are (most) relevant.

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b. We kindly invite you to indicate whether your authorities have experienced difficulties in applying the 2012 SGEI Framework and ask you to in particular consider the following issues:

- carrying out a public consultation in line with paragraph 14 of the SGEI Framework;
- complying with public procurement rules in line with para 19 of the SGEI Framework;
- determining the net avoided cost as required by paras 25-27 of the SGEI Framework;
- determining the reasonable profit level in line with paras 33-38 of the SGEI Framework;

Please be as specific as possible in your reply, include relevant examples and, if applicable, the sector for which the difficulties are (most) relevant.

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- c. If you have any other comments on the application of the SGEI Decision and the SGEI Framework on issues other than the ones covered in the previous questions please feel free to provide them below.

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## ANNEX

### **Services of General Economic Interest: guidance for report to be submitted following the 2012 SGEI Decision and the 2012 SGEI framework**

The **reporting obligations** are set out in the Article 9 of the 2012 SGEI Decision:

*Each Member State shall submit a report on the implementation of this Decision to the Commission every 2 years. The reports shall provide a detailed overview of the application of this Decision for the different categories of services referred to in Article 2(1), including:*

*(a) a description of the application of this Decision to the services falling within its scope, including in-house activities;*

*(b) the total amount of aid granted in accordance with this Decision, with a breakdown by the economic sector of the beneficiaries;*

*(c) an indication of whether, for a particular type of service, the application of this Decision has given rise to difficulties or complaints by third parties; and*

*(d) any other information concerning the application of this Decision required by the Commission and to be specified in due time before the report is to be submitted.*

Paragraph 62 of the 2012 SGEI Framework sets in principle identical reporting obligations for aid granted under the 2012 SGEI Framework.

Please structure your report as follows:

#### **1. EXPENDITURE OVERVIEW**

Please complete the following table:

<b>Total SGEI government expenditure by legal basis (millions EUR)</b>		
	2020	2021
<b><i>Total compensation for Services of General Economic Interest (1+2)</i></b>	<b>4.06</b>	<b>3.1</b>
(1) Total compensation granted on the basis of the SGEI Decision	<b>4.06</b>	<b>3.1</b>
(2) Total compensation granted on the basis of the SGEI Framework	<b>N/A</b>	<b>N/A</b>

#### **2. DESCRIPTION OF THE APPLICATION OF THE 2012 SGEI DECISION**

**Please structure this part of your report by the following sections:**

- 1) Hospitals providing medical care, including, where applicable, emergency services (Art. 2(1)(b))

- 2) Social services (Art. 2(1)(c))
  - a) Health and long term care
  - b) Childcare
  - c) Access to and reintegration into the labour market
  - d) Social housing
  - e) Care and social inclusion of vulnerable groups
  - f) Other social services (if applicable)
- 3) Air or maritime links to islands with average annual traffic not exceeding the limit set in Art. 2(1)(d)
- 4) Airports and ports with average annual traffic not exceeding the limit set in Art. 2(1)(e)
- 5) SGEI compensation not exceeding an annual amount EUR 15 million (Art. 2(1)(a))
  - a) Postal services
  - b) Energy
  - c) Waste collection
  - d) Water supply
  - e) Culture
  - f) Financial services
  - g) Other sectors (please specify)

**For each of the items outlined above please provide information in the form of the following table:**

Section (for example 1, hospitals or 2b, childcare)
<b>5 c) Waste collection</b>
Clear and comprehensive description of how the respective services are organized in your Member State <sup>1</sup>
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list the <b>contents of the services entrusted as SGEI</b> as clearly as possible.

<sup>1</sup> If in a certain sector only a small number of individual SGEIs exist in your Member State, we appreciate a detailed description of those services. **If a large number of services are entrusted in a specific sector in your Member State (for example because the competence lies with regional or local**

<p><b>Wasteserv Malta (WSM) has been entrusted by the Maltese government to:</b></p> <p><b>design, build and commission a mixed-waste treatment plant for municipal solid waste, better known as a mechanical and biological treatment (MBT) plant;</b></p> <p><b>operate, run and main that MBT plant in order to provide mixed-waste collection and processing services to the Maltese state, in accordance with the same waste management plan of the Maltese Government.</b></p>
<p>Explanation of the (typical) <b>forms of entrustment</b>. If standardized templates for entrustments are used for a certain sector, please attach them.</p>
<p><b>Entrustment act</b></p>
<p><b>Average duration of the entrustment (in years)</b> and the proportion of entrustments that are <b>longer than 10 years</b> (in %) per sector. Specify in which sectors SGEI were entrusted with a duration exceeding 10 years and explain how this duration is justified?</p>
<p><b>15 years from construction of the plant. This duration is justified by the significant investment required on the part of the service provider, which needs to be amortised over a longer period of entrustment, according to generally accepted accounting principles.</b></p>
<p>Explanation whether (typically) <b>exclusive or special rights</b> are assigned to the undertakings.</p>
<p><b>N/A</b></p>
<p>Which <b>aid instruments</b> have been used (direct subsidies, guarantees, etc.)?</p>
<p><b>Direct subsidies by the Maltese government.</b></p>
<p>Typical <b>compensation mechanism</b> as regards the respective services and whether a methodology based on cost allocation or the net avoided cost methodology is used.</p>
<p><b>The compensation methodology used is based on the net cost principle.</b></p> <p><b>Compensation is calculated as the difference between the net cost necessary to operate the SGEI (calculated on generally accepted accounting principles) and the revenue generated from the SGEI , minus a reasonable profit.</b></p> <p><b>The payment is made in advance in three instalments per year based on an annual estimate as laid down in the agreement with the Government. The payment is adjusted on the basis of actual costs and revenue recorded for that year, and the adjustment is deducted from or added to the company's claim for the following year.</b></p>

authorities), individual details of the entrustments would be disproportionate, but a clear and concise general description of the way the sector is organised including the common features of the individual entrustments remains crucial.

<b>Typical arrangements for avoiding and repaying any overcompensation.</b>	
<p>Regular audits are to be carried out to ensure that WSM does not receive compensation in excess of that provided for in the agreement with the Government. Should it ever emerge that WSM has received excessive compensation from the Government, they must refund the excess compensation to the Government as soon as Government so requests.</p> <p>If the excess compensation does not exceed 10% of the current amount of agreed average annual compensation, it shall be transferred to the subsequent period and deducted from the compensation due for that period.</p>	
<p>A short explanation of how the <b>transparency requirements</b> (see Article 7 of the 2012 SGEI Decision) for the aid above 15 million euro to undertakings that also have activities outside the scope of the SGEI are being complied with. In your answer please also include some relevant examples of information published for this purpose (e.g. some links to websites or other references), indicate whether you have a central website on which you publish this information for all aid measures concerned in your Member State (and if so provide the link to this website), or alternatively explain if and how the publication takes place at the level granting the aid (e.g. central, regional or local level).</p>	
<p><b>The information is published on:</b></p> <p><a href="https://eufunds.gov.mt/en/SAMB/Pages/SAMBHome.aspx">https://eufunds.gov.mt/en/SAMB/Pages/SAMBHome.aspx</a></p>	
<b>Amount of aid granted</b>	
<b>Total amount of aid granted (in millions EUR)<sup>2</sup>.</b> This includes all aid granted in your territory, including aid granted by regional and local authorities. (A+B+C)	
<b>2020</b>	<b>2021</b>
4.06	3.1
<b>A: Total amount of aid granted (in millions EUR) paid by national central authorities<sup>3</sup></b>	
<b>2020</b>	<b>2021</b>
4.06	3.1
<b>B: Total amount of aid granted (in millions EUR) paid by regional authorities<sup>4</sup></b>	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>C: Total amount of aid granted (in millions EUR) paid by local authorities<sup>5</sup></b>	

<sup>2</sup> As stipulated in Article 9 b) of the 2012 SGEI Decision.

<sup>3</sup> If the aid amount cannot be split between central, regional and local authorities only the total amount of aid granted for all authorities should be reported.

<sup>4</sup> See footnote3.

<sup>5</sup> See footnote3.



2020	2021
N/A	N/A
<b>Share of expenditure per aid instrument</b> (direct subsidy, guarantees etc.) (if available)	
2020	2021
N/A	N/A
<b>Additional quantitative information</b> (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings) <sup>6</sup>	
2020	2021
N/A	N/A

**Please also fill out the annexed summary excel file “SGEI Decision 2020 2021” with the total amounts per section for the whole Member State (not per region, local authority or municipality).**

### **3. DESCRIPTION OF THE APPLICATION OF THE 2012 SGEI FRAMEWORK**

**Please structure this part of your report by the following sections:**

SGEI compensation exceeding EUR 15 million, falling outside the SGEI Decision (please specify the Commission decision approving each measure if applicable):

- i. Postal services
- ii. Energy
- iii. Waste collection
- iv. Water supply
- v. Air or maritime links to islands with average annual traffic above the limits set in Art. 2(1)(d)
- vi. Airports and ports with average annual traffic above the limit set in Art. 2(1)(e)
- vii. Culture
- viii. Financial services
- ix. Other sectors (please specify)

<sup>6</sup> The Commission would welcome any data that you might have on aid granted under the 2012 SGEI Decision, for example the number of beneficiaries per sector, average amount of aid, amount per aid instrument, size of the undertakings, etc. Should such other quantitative information data not be readily available in your Member State, they can of course be presented in a more aggregated and/or estimated way. In that case please indicate that estimations have been used as well as the type of aggregation made.

For each of the items outlined above please provide information in the form of the following table:

<b>Section (for example iii. Waste collection or viii. Financial services)</b>
N/A
<b>Clear and comprehensive description of how the respective services are organized in your Member State<sup>7</sup></b>
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list the <b>contents of the services entrusted as SGEI</b> as clearly as possible.
N/A
Explanation of the (typical) <b>forms of entrustment</b> . If standardized templates for entrustments are used for a certain sector, please attach them.
N/A
<b>Average duration of the entrustment (in years)</b> and the proportion of entrustments that are <b>longer than 10 years</b> (in %) per sector. Specify in which sectors SGEI were entrusted with a duration exceeding 10 years and explain how this duration is justified?
N/A
Explanation whether (typically) <b>exclusive or special rights</b> are assigned to the undertakings.
N/A
Which <b>aid instruments</b> have been used (direct subsidies, guarantees, etc.)?
N/A
Typical <b>compensation mechanism</b> as regards the respective services and whether a methodology based on cost allocation or the net avoided cost methodology is used.
N/A

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<sup>7</sup> If in a certain sector only a small number of individual SGEIs exist in your Member State, we appreciate a detailed description of those services. If a large number of services are entrusted in a specific sector in your Member State (for example because the competence lies with regional or local authorities), individual details of the entrustments would be disproportionate, but a clear and concise general description of the way the sector is organised including the common features of the individual entrustments remains crucial. Since cases falling under the SGEI Framework will be limited in number, the Commission expects a detailed description of each concrete measure.

Typical arrangements for avoiding and repaying any overcompensation.	
N/A	
A short explanation of how the <b>transparency requirements</b> (see Paragraph 60 of the 2012 SGEI Framework) are being complied with. In your answer please also include some relevant examples of information published for this purpose (e.g. some links to websites or other references), indicate whether you have a central website on which you publish this information for all aid measures concerned in your Member State (and if so provide the link to this website), or alternatively explain if and how the publication takes place at the level granting the aid (e.g. central, regional or local level).	
N/A	
Amount of aid granted	
Total amount of aid granted (in millions EUR) <sup>8</sup> . This includes all aid granted in your territory, including aid granted by regional and local authorities. (A+B+C)	
2020	2021
N/A	N/A
A: Total amount of aid granted (in millions EUR) paid by national central authorities <sup>9</sup>	
2020	2021
N/A	N/A
B: Total amount of aid granted (in millions EUR) paid by regional authorities <sup>10</sup>	
2020	2021
N/A	N/A
C: Total amount of aid granted (in millions EUR) paid by local authorities <sup>11</sup>	
2020	2021
N/A	N/A
Share of expenditure per aid instrument (direct subsidy, guarantees etc.) (if available)	
2020	2021
N/A	N/A

<sup>8</sup> As stipulated in Paragraph 62 b) of the 2012 SGEI Framework.

<sup>9</sup> If the aid amount cannot be split between central, regional and local authorities only the total amount of aid granted for all authorities should be reported.

<sup>10</sup> See footnote 9.

<sup>11</sup> See footnote 9.

<b>Additional quantitative information</b> (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings) <sup>12</sup>	
<b>2020</b>	<b>2021</b>
N/A	N/A

**Please also fill out the annexed summary excel file “SGEI Framework 2020 2021” with the total amounts per section for the whole Member State (not per region, local authority or municipality).**

#### **4. COMPLAINTS BY THIRD PARTIES**

Please provide an overview of complaints by third parties, in particular litigation before national courts, regarding measures in scope of the 2012 SGEI Decision or 2012 SGEI Framework. Please be as specific as possible in your reply and include the sector for which you have received the complaints, the contents of the complaints and the possible follow-up by your authorities or the likely outcome of the court proceedings.

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#### **5. MISCELLANEOUS QUESTIONS**

- a. We kindly invite you to indicate whether your authorities have experienced difficulties in applying the 2012 SGEI Decision and ask you to in particular consider the following issues:
- drawing up an entrustment act that complies with Article 4 of the SGEI Decision;
  - specifying the amount of compensation in line with Article 5 of the SGEI Decision;
  - determining the reasonable profit level in line with Article 5(5)-(8) of the SGEI Decision;
  - regularly checking overcompensation as required by Article 6 of the SGEI Decision;

<sup>12</sup> The Commission would welcome any data that you might have on aid granted under the 2012 SGEI Decision, for example the number of beneficiaries per sector, average amount of aid, amount per aid instrument, size of the undertakings, etc. Should such other quantitative information data not be readily available in your Member State, they can of course be presented in a more aggregated and/or estimated way. In that case please indicate that estimations have been used as well as the type of aggregation made.

Please be as specific as possible in your reply, include relevant examples and, if applicable, the sector for which the difficulties are (most) relevant.

b. We kindly invite you to indicate whether your authorities have experienced difficulties in applying the 2012 SGEI Framework and ask you to in particular consider the following issues:

- carrying out a public consultation in line with paragraph 14 of the SGEI Framework;
- complying with public procurement rules in line with para 19 of the SGEI Framework;
- determining the net avoided cost as required by paras 25-27 of the SGEI Framework;
- determining the reasonable profit level in line with paras 33-38 of the SGEI Framework;

Please be as specific as possible in your reply, include relevant examples and, if applicable, the sector for which the difficulties are (most) relevant.

c. If you have any other comments on the application of the SGEI Decision and the SGEI Framework on issues other than the ones covered in the previous questions please feel free to provide them below.

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## ANNEX

### **Services of General Economic Interest: guidance for report to be submitted following the 2012 SGEI Decision and the 2012 SGEI framework**

The **reporting obligations** are set out in the Article 9 of the 2012 SGEI Decision:

*Each Member State shall submit a report on the implementation of this Decision to the Commission every 2 years. The reports shall provide a detailed overview of the application of this Decision for the different categories of services referred to in Article 2(1), including:*

*(a) a description of the application of this Decision to the services falling within its scope, including in-house activities;*

*(b) the total amount of aid granted in accordance with this Decision, with a breakdown by the economic sector of the beneficiaries;*

*(c) an indication of whether, for a particular type of service, the application of this Decision has given rise to difficulties or complaints by third parties; and*

*(d) any other information concerning the application of this Decision required by the Commission and to be specified in due time before the report is to be submitted.*

Paragraph 62 of the 2012 SGEI Framework sets in principle identical reporting obligations for aid granted under the 2012 SGEI Framework.

Please structure your report as follows:

#### **1. EXPENDITURE OVERVIEW**

Please complete the following table:

<b>Total SGEI government expenditure by legal basis (millions EUR)</b>		
	2020	2021
<b><i>Total compensation for Services of General Economic Interest (1+2)</i></b>	<b>3.15</b>	<b>3.47</b>
(1) Total compensation granted on the basis of the SGEI Decision	<b>3.15</b>	<b>3.47</b>
(2) Total compensation granted on the basis of the SGEI Framework	<b>N/A</b>	<b>N/A</b>

#### **2. DESCRIPTION OF THE APPLICATION OF THE 2012 SGEI DECISION**

**Please structure this part of your report by the following sections:**

- 1) Hospitals providing medical care, including, where applicable, emergency services (Art. 2(1)(b))

- 2) Social services (Art. 2(1)(c))
  - a) Health and long term care
  - b) Childcare
  - c) Access to and reintegration into the labour market
  - d) Social housing
  - e) Care and social inclusion of vulnerable groups
  - f) Other social services (if applicable)
- 3) Air or maritime links to islands with average annual traffic not exceeding the limit set in Art. 2(1)(d)
- 4) Airports and ports with average annual traffic not exceeding the limit set in Art. 2(1)(e)
- 5) SGEI compensation not exceeding an annual amount EUR 15 million (Art. 2(1)(a))
  - a) Postal services
  - b) Energy
  - c) Waste collection
  - d) Water supply
  - e) Culture
  - f) Financial services
  - g) Other sectors (please specify)

**For each of the items outlined above please provide information in the form of the following table:**

Section (for example 1, hospitals or 2b, childcare)
<b>5 c) Waste collection</b>
Clear and comprehensive description of how the respective services are organized in your Member State <sup>1</sup>
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list the <b>contents of the services entrusted as SGEI</b> as clearly as possible.

<sup>1</sup> If in a certain sector only a small number of individual SGEIs exist in your Member State, we appreciate a detailed description of those services. **If a large number of services are entrusted in a specific sector in your Member State (for example because the competence lies with regional or local authorities),**

<p><b>Wasteserv Malta (WSM) has been entrusted by the Maltese government to:</b></p> <p><b>design, build and commission a plant for recyclable waste treatment, better known as a multi-material recovery facility (MMRF);</b></p> <p><b>operate, run and main that MMRF plant in order to provide recyclable-waste collection and processing services to the Maltese state, in accordance with the same waste management plan of the Maltese Government.</b></p>
<p>Explanation of the (typical) <b>forms of entrustment</b>. If standardized templates for entrustments are used for a certain sector, please attach them.</p>
<p><b>Entrustment act</b></p>
<p><b>Average duration of the entrustment (in years)</b> and the proportion of entrustments that are <b>longer than 10 years</b> (in %) per sector. Specify in which sectors SGEI were entrusted with a duration exceeding 10 years and explain how this duration is justified?</p>
<p><b>20 years from the beginning of the project – the first 5 years for the design and construction of the plant and 15 years for the operation thereof. This duration is justified by the significant investment required on the part of the service provider, which needs to be amortised over a longer period of entrustment, according to generally accepted accounting principles.</b></p>
<p>Explanation whether (typically) <b>exclusive or special rights</b> are assigned to the undertakings.</p>
<p><b>Not applicable</b></p>
<p>Which <b>aid instruments</b> have been used (direct subsidies, guarantees, etc.)?</p>
<p><b>Direct subsidies by the Maltese government</b></p>
<p>Typical <b>compensation mechanism</b> as regards the respective services and whether a methodology based on cost allocation or the net avoided cost methodology is used.</p>
<p><b>The compensation methodology used is based on the net cost principle.</b></p> <p><b>Compensation is calculated as the difference between the net cost necessary to operate the SGEI (calculated on generally accepted accounting principles) and the revenue generated from the SGEI , minus a reasonable profit.</b></p> <p><b>The payment is made in advance in three instalments per year based on an annual estimate as laid down in the agreement with the Government. The payment is adjusted on the basis of actual costs and revenue recorded for that year, and the adjustment is deducted from or added to the company’s claim for the following year.</b></p>

**individual details of the entrustments would be disproportionate**, but a clear and concise general description of the way the sector is organised including the common features of the individual entrustments remains crucial.



<b>Typical arrangements for avoiding and repaying any overcompensation.</b>	
<p>Regular audits are to be carried out to ensure that WSM does not receive compensation in excess of that provided for in the agreement with the Government. Should it ever emerge that WSM has received excessive compensation from the Government, they must refund the excess compensation to the Government as soon as Government so requests.</p> <p>If the excess compensation does not exceed 10% of the current amount of agreed average annual compensation, it shall be transferred to the subsequent period and deducted from the compensation due for that period.</p>	
<p>A short explanation of how the <b>transparency requirements</b> (see Article 7 of the 2012 SGEI Decision) for the aid above 15 million euro to undertakings that also have activities outside the scope of the SGEI are being complied with. In your answer please also include some relevant examples of information published for this purpose (e.g. some links to websites or other references), indicate whether you have a central website on which you publish this information for all aid measures concerned in your Member State (and if so provide the link to this website), or alternatively explain if and how the publication takes place at the level granting the aid (e.g. central, regional or local level).</p>	
<p><b>The information is published on:</b></p> <p><a href="https://eufunds.gov.mt/en/SAMB/Pages/SAMBHome.aspx">https://eufunds.gov.mt/en/SAMB/Pages/SAMBHome.aspx</a></p>	
<b>Amount of aid granted</b>	
<b>Total amount of aid granted (in millions EUR)<sup>2</sup>.</b> This includes all aid granted in your territory, including aid granted by regional and local authorities. (A+B+C)	
<b>2020</b>	<b>2021</b>
3.15	3.47
<b>A: Total amount of aid granted (in millions EUR) paid by national central authorities<sup>3</sup></b>	
<b>2020</b>	<b>2021</b>
3.15	3.47
<b>B: Total amount of aid granted (in millions EUR) paid by regional authorities<sup>4</sup></b>	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>C: Total amount of aid granted (in millions EUR) paid by local authorities<sup>5</sup></b>	

<sup>2</sup> As stipulated in Article 9 b) of the 2012 SGEI Decision.

<sup>3</sup> If the aid amount cannot be split between central, regional and local authorities only the total amount of aid granted for all authorities should be reported.

<sup>4</sup> See footnote3.

<sup>5</sup> See footnote3.

2020	2021
N/A	N/A
<b>Share of expenditure per aid instrument</b> (direct subsidy, guarantees etc.) (if available)	
2020	2021
N/A	N/A
<b>Additional quantitative information</b> (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings) <sup>6</sup>	
2020	2021
N/A	N/A

**Please also fill out the annexed summary excel file “SGEI Decision 2020 2021” with the total amounts per section for the whole Member State (not per region, local authority or municipality).**

### **3. DESCRIPTION OF THE APPLICATION OF THE 2012 SGEI FRAMEWORK**

**Please structure this part of your report by the following sections:**

SGEI compensation exceeding EUR 15 million, falling outside the SGEI Decision (please specify the Commission decision approving each measure if applicable):

- i. Postal services
- ii. Energy
- iii. Waste collection
- iv. Water supply
- v. Air or maritime links to islands with average annual traffic above the limits set in Art. 2(1)(d)
- vi. Airports and ports with average annual traffic above the limit set in Art. 2(1)(e)
- vii. Culture
- viii. Financial services
- ix. Other sectors (please specify)

<sup>6</sup> The Commission would welcome any data that you might have on aid granted under the 2012 SGEI Decision, for example the number of beneficiaries per sector, average amount of aid, amount per aid instrument, size of the undertakings, etc. Should such other quantitative information data not be readily available in your Member State, they can of course be presented in a more aggregated and/or estimated way. In that case please indicate that estimations have been used as well as the type of aggregation made.

For each of the items outlined above please provide information in the form of the following table:

<b>Section (for example iii. Waste collection or viii. Financial services)</b>
N/A
<b>Clear and comprehensive description of how the respective services are organized in your Member State<sup>7</sup></b>
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list the <b>contents of the services entrusted as SGEI</b> as clearly as possible.
N/A
Explanation of the (typical) <b>forms of entrustment</b> . If standardized templates for entrustments are used for a certain sector, please attach them.
N/A
<b>Average duration of the entrustment (in years)</b> and the proportion of entrustments that are <b>longer than 10 years</b> (in %) per sector. Specify in which sectors SGEI were entrusted with a duration exceeding 10 years and explain how this duration is justified?
N/A
Explanation whether (typically) <b>exclusive or special rights</b> are assigned to the undertakings.
N/A
Which <b>aid instruments</b> have been used (direct subsidies, guarantees, etc.)?
N/A
Typical <b>compensation mechanism</b> as regards the respective services and whether a methodology based on cost allocation or the net avoided cost methodology is used.
N/A

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<sup>7</sup> If in a certain sector only a small number of individual SGEIs exist in your Member State, we appreciate a detailed description of those services. If a large number of services are entrusted in a specific sector in your Member State (for example because the competence lies with regional or local authorities), individual details of the entrustments would be disproportionate, but a clear and concise general description of the way the sector is organised including the common features of the individual entrustments remains crucial. Since cases falling under the SGEI Framework will be limited in number, the Commission expects a detailed description of each concrete measure.

Typical arrangements for avoiding and repaying any overcompensation.	
N/A	
A short explanation of how the <b>transparency requirements</b> (see Paragraph 60 of the 2012 SGEI Framework) are being complied with. In your answer please also include some relevant examples of information published for this purpose (e.g. some links to websites or other references), indicate whether you have a central website on which you publish this information for all aid measures concerned in your Member State (and if so provide the link to this website), or alternatively explain if and how the publication takes place at the level granting the aid (e.g. central, regional or local level).	
N/A	
Amount of aid granted	
Total amount of aid granted (in millions EUR) <sup>8</sup> . This includes all aid granted in your territory, including aid granted by regional and local authorities. (A+B+C)	
2020	2021
N/A	N/A
A: Total amount of aid granted (in millions EUR) paid by national central authorities <sup>9</sup>	
2020	2021
N/A	N/A
B: Total amount of aid granted (in millions EUR) paid by regional authorities <sup>10</sup>	
2020	2021
N/A	N/A
C: Total amount of aid granted (in millions EUR) paid by local authorities <sup>11</sup>	
2020	2021
N/A	N/A
Share of expenditure per aid instrument (direct subsidy, guarantees etc.) (if available)	
2020	2021
N/A	N/A

<sup>8</sup> As stipulated in Paragraph 62 b) of the 2012 SGEI Framework.

<sup>9</sup> If the aid amount cannot be split between central, regional and local authorities only the total amount of aid granted for all authorities should be reported.

<sup>10</sup> See footnote 9.

<sup>11</sup> See footnote 9.

<b>Additional quantitative information</b> (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings) <sup>12</sup>	
<b>2020</b>	<b>2021</b>
N/A	N/A

**Please also fill out the annexed summary excel file “SGEI Framework 2020 2021” with the total amounts per section for the whole Member State (not per region, local authority or municipality).**

#### **4. COMPLAINTS BY THIRD PARTIES**

Please provide an overview of complaints by third parties, in particular litigation before national courts, regarding measures in scope of the 2012 SGEI Decision or 2012 SGEI Framework. Please be as specific as possible in your reply and include the sector for which you have received the complaints, the contents of the complaints and the possible follow-up by your authorities or the likely outcome of the court proceedings.

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#### **5. MISCELLANEOUS QUESTIONS**

- a. We kindly invite you to indicate whether your authorities have experienced difficulties in applying the 2012 SGEI Decision and ask you to in particular consider the following issues:
- drawing up an entrustment act that complies with Article 4 of the SGEI Decision;
  - specifying the amount of compensation in line with Article 5 of the SGEI Decision;
  - determining the reasonable profit level in line with Article 5(5)-(8) of the SGEI Decision;
  - regularly checking overcompensation as required by Article 6 of the SGEI Decision;

<sup>12</sup> The Commission would welcome any data that you might have on aid granted under the 2012 SGEI Decision, for example the number of beneficiaries per sector, average amount of aid, amount per aid instrument, size of the undertakings, etc. Should such other quantitative information data not be readily available in your Member State, they can of course be presented in a more aggregated and/or estimated way. In that case please indicate that estimations have been used as well as the type of aggregation made.

Please be as specific as possible in your reply, include relevant examples and, if applicable, the sector for which the difficulties are (most) relevant.

b. We kindly invite you to indicate whether your authorities have experienced difficulties in applying the 2012 SGEI Framework and ask you to in particular consider the following issues:

- carrying out a public consultation in line with paragraph 14 of the SGEI Framework;
- complying with public procurement rules in line with para 19 of the SGEI Framework;
- determining the net avoided cost as required by paras 25-27 of the SGEI Framework;
- determining the reasonable profit level in line with paras 33-38 of the SGEI Framework;

Please be as specific as possible in your reply, include relevant examples and, if applicable, the sector for which the difficulties are (most) relevant.

c. If you have any other comments on the application of the SGEI Decision and the SGEI Framework on issues other than the ones covered in the previous questions please feel free to provide them below.

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## ANNEX

### Services of General Economic Interest: guidance for report to be submitted following the 2012 SGEI Decision and the 2012 SGEI framework

The reporting obligations are set out in the Article 9 of the 2012 SGEI Decision:

*Each Member State shall submit a report on the implementation of this Decision to the Commission every 2 years. The reports shall provide a detailed overview of the application of this Decision for the different categories of services referred to in Article 2(1), including:*

*(a) a description of the application of this Decision to the services falling within its scope, including in-house activities;*

*(b) the total amount of aid granted in accordance with this Decision, with a breakdown by the economic sector of the beneficiaries;*

*(c) an indication of whether, for a particular type of service, the application of this Decision has given rise to difficulties or complaints by third parties; and*

*(d) any other information concerning the application of this Decision required by the Commission and to be specified in due time before the report is to be submitted.*

Paragraph 62 of the 2012 SGEI Framework sets in principle identical reporting obligations for aid granted under the 2012 SGEI Framework.

Please structure your report as follows:

#### **1. EXPENDITURE OVERVIEW**

Please complete the following table:

<b>Total SGEI government expenditure by legal basis (millions EUR)</b>		
	2020	2021
<b><i>Total compensation for Services of General Economic Interest (1+2)</i></b>	<b><i>5.5</i></b>	<b><i>5.72</i></b>
(1) Total compensation granted on the basis of the SGEI Decision	<b><i>5.5</i></b>	<b><i>5.72</i></b>
(2) Total compensation granted on the basis of the SGEI Framework	<b><i>N/A</i></b>	<b><i>N/A</i></b>

#### **2. DESCRIPTION OF THE APPLICATION OF THE 2012 SGEI DECISION**

Please structure this part of your report by the following sections:

- 1) Hospitals providing medical care, including, where applicable, emergency services (Art. 2(1)(b))

- 2) Social services (Art. 2(1)(c))
  - a) Health and long term care
  - b) Childcare
  - c) Access to and reintegration into the labour market
  - d) Social housing
  - e) Care and social inclusion of vulnerable groups
  - f) Other social services (if applicable)
- 3) Air or maritime links to islands with average annual traffic not exceeding the limit set in Art. 2(1)(d)
- 4) Airports and ports with average annual traffic not exceeding the limit set in Art. 2(1)(e)
- 5) SGEI compensation not exceeding an annual amount EUR 15 million (Art. 2(1)(a))
  - a) Postal services
  - b) Energy
  - c) Waste collection
  - d) Water supply
  - e) Culture
  - f) Financial services
  - g) Other sectors (please specify)

**For each of the items outlined above please provide information in the form of the following table:**

Section (for example 1, hospitals or 2b, childcare)
5 g) Other sectors — Public broadcasting, culture and sports



<b>Clear and comprehensive description of how the respective services are organized in your Member State<sup>1</sup></b>
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list <b>the contents of the services entrusted as SGEI</b> as clearly as possible.
<p>The PSO covers the operations of the national broadcasting service by providing a wide range of programmes and offering balanced and varied broadcasting to meet the social, democratic and cultural needs of Maltese society. That service is to be provided by Public Broadcasting Services Ltd (PBS).</p> <p>For PSO purposes, PBS should operate and maintain certain television and radio channels in order to ensure the broadcast of certain programmes, including daily news bulletins, sports competitions, programmes compliant with constitutional or legal provisions, events of a national character, and current affairs programmes.</p> <p>PBS should also provide online services linked to those PSO services.</p>
Explanation of the (typical) <b>forms of entrustment</b> . If standardized templates for entrustments are used for a certain sector, please attach them.
<b>Public Service Obligation Agreement</b>
<b>Average duration of the entrustment (in years)</b> and the proportion of entrustments that are <b>longer than 10 years</b> (in %) per sector. Specify in which sectors SGEI were entrusted with a duration exceeding 10 years and explain how this duration is justified?
<b>The Agreement is valid for five years.</b>
Explanation whether (typically) <b>exclusive or special rights</b> are assigned to the undertakings.
<b>PBS has the sole and exclusive right of PSO.</b>
Which <b>aid instruments</b> have been used (direct subsidies, guarantees, etc.)?
<b>Grant</b>
Typical <b>compensation mechanism</b> as regards the respective services and whether a

<sup>1</sup> If in a certain sector only a small number of individual SGEIs exist in your Member State, we appreciate a detailed description of those services. **If a large number of services are entrusted in a specific sector in your Member State (for example because the competence lies with regional or local authorities), individual details of the entrustments would be disproportionate**, but a clear and concise general description of the way the sector is organised including the common features of the individual entrustments remains crucial.

methodology based on cost allocation or the net avoided cost methodology is used.
<p>The amount of compensation is limited to the amount needed by PBS to cover the anticipated net costs of the PSO services over a period of five years, that amount being reviewed on a continuous basis every year of the duration of the Agreement. The level of compensation may in no way exceed the level of fair compensation set out in Commission Decision 2012/21/EU.</p> <p>The net costs of the PSO services must correspond to the cost incurred to provide them, minus PBS's total net revenue, allowing for a reasonable profit – considered to be a rate on return on capital, taking into account also the scale of the of risk taken on. Total net revenue should include the net revenue generated by services not included in the PSO.</p> <p>All costs incurred in carrying out the PSO services should be taken into account when establishing the net cost of the PSO services.</p>
<b>Typical arrangements for avoiding and repaying any overcompensation.</b>
<p>Where the compensation granted by the Government exceeds the net cost of the PSO services incurred in the previous year, PBS should allocate the excess to a PSO reserve fund to cover fluctuations between expenditure and revenue.</p> <p>The PSO reserve fund should be limited to 10% of the average amount of annual compensation due. Overcompensation should be held over for the following period and deducted from the amount of compensation payable for the same period thereafter.</p> <p>PBS is obliged to pay back to the Government any annual surplus exceeding 10% of the annual costs of carrying out the PSO services.</p> <p>On an exceptional basis, PBS should be allowed to maintain a special reserve fund for PSO services and allocate to it an amount exceeding 10% of the annual cost of carrying out the PSO services. The special reserve fund for PSO services may be used only to fund specific one-off projects of a certain nature, such as major restructuring measures needed to ensure PBS's continued operations for a duly defined period of time.</p> <p>The special reserve fund for PSO services and any monies it contains should be returned to the Government if the project concerned has not been started two years after the start time determined when the special reserve fund for PSO services was set up.</p>
<p>A short explanation of how the <b>transparency requirements</b> (see Article 7 of the 2012 SGEI Decision) for the aid above 15 million euro to undertakings that also have activities outside the scope of the SGEI are being complied with. In your answer please also include some relevant examples of information published for this purpose (e.g. some links to websites or other references), indicate whether you have a central website on which you publish this information for all aid measures concerned in your Member State (and if so provide the link to this website), or alternatively explain if and how the</p>

publication takes place at the level granting the aid (e.g. central, regional or local level).	
<b>The information is published on:</b> <a href="https://eufunds.gov.mt/en/SAMB/Pages/Other.aspx">https://eufunds.gov.mt/en/SAMB/Pages/Other.aspx</a>	
<b>Amount of aid granted</b>	
<b>Total amount of aid granted (in millions EUR)<sup>2</sup>.</b> This includes all aid granted in your territory, including aid granted by regional and local authorities. (A+B+C)	
<b>2020</b>	<b>2021</b>
5.5	5.72
<b>A: Total amount of aid granted (in millions EUR) paid by national central authorities<sup>3</sup></b>	
<b>2020</b>	<b>2021</b>
5.5	5.72
<b>B: Total amount of aid granted (in millions EUR) paid by regional authorities<sup>4</sup></b>	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>C: Total amount of aid granted (in millions EUR) paid by local authorities<sup>5</sup></b>	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>Share of expenditure per aid instrument (direct subsidy, guarantees etc.) (if available)</b>	
<b>2020</b>	<b>2021</b>
N/A	N/A

<sup>2</sup> As stipulated in Article 9(b) of the 2012 SGEI Decision.

<sup>3</sup> If the aid amount cannot be split between central, regional and local authorities only the total amount of aid granted for all authorities should be reported.

<sup>4</sup> See footnote3.

<sup>5</sup> See footnote3.

**Additional quantitative information** (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings)<sup>6</sup>

2020	2021
N/A	N/A

**Please also fill out the annexed summary excel file “SGEI Decision 2020 2021” with the total amounts per section for the whole Member State (not per region, local authority or municipality).**

### **3. DESCRIPTION OF THE APPLICATION OF THE 2012 SGEI FRAMEWORK**

**Please structure this part of your report by the following sections:**

SGEI compensation exceeding EUR 15 million, falling outside the SGEI Decision (please specify the Commission decision approving each measure if applicable):

- i. Postal services
- ii. Energy
- iii. Waste collection
- iv. Water supply
- v. Air or maritime links to islands with average annual traffic above the limits set in Art. 2(1)(d)
- vi. Airports and ports with average annual traffic above the limit set in Art. 2(1)(e)
- vii. Culture
- viii. Financial services
- ix. Other sectors (please specify)

**For each of the items outlined above please provide information in the form of the following table:**

<sup>6</sup> The Commission would welcome any data that you might have on aid granted under the 2012 SGEI Decision, for example the number of beneficiaries per sector, average amount of aid, amount per aid instrument, size of the undertakings, etc. Should such other quantitative information data not be readily available in your Member State, they can of course be presented in a more aggregated and/or estimated way. In that case please indicate that estimations have been used as well as the type of aggregation made.

<b>Section (for example iii. Waste collection or viii. Financial services)</b>
N/A
<b>Clear and comprehensive description of how the respective services are organized in your Member State<sup>7</sup></b>
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list <b>the contents of the services entrusted as SGEI</b> as clearly as possible.
N/A
Explanation of the (typical) <b>forms of entrustment</b> . If standardized templates for entrustments are used for a certain sector, please attach them.
N/A
<b>Average duration of the entrustment (in years)</b> and the proportion of entrustments that are <b>longer than 10 years</b> (in %) per sector. Specify in which sectors SGEI were entrusted with a duration exceeding 10 years and explain how this duration is justified?
N/A
Explanation whether (typically) <b>exclusive or special rights</b> are assigned to the undertakings.
N/A
Which <b>aid instruments</b> have been used (direct subsidies, guarantees, etc.)?
N/A
Typical <b>compensation mechanism</b> as regards the respective services and whether a methodology based on cost allocation or the net avoided cost methodology is used.
N/A
<b>Typical arrangements for avoiding and repaying any overcompensation.</b>
N/A

<sup>7</sup> If in a certain sector only a small number of individual SGEIs exist in your Member State, we appreciate a detailed description of those services. If a large number of services are entrusted in a specific sector in your Member State (for example because the competence lies with regional or local authorities), individual details of the entrustments would be disproportionate, but a clear and concise general description of the way the sector is organised including the common features of the individual entrustments remains crucial. Since cases falling under the SGEI Framework will be limited in number, the Commission expects a detailed description of each concrete measure.

A short explanation of how the <b>transparency requirements</b> (see Paragraph 60 of the 2012 SGEI Framework) are being complied with. In your answer please also include some relevant examples of information published for this purpose (e.g. some links to websites or other references), indicate whether you have a central website on which you publish this information for all aid measures concerned in your Member State (and if so provide the link to this website), or alternatively explain if and how the publication takes place at the level granting the aid (e.g. central, regional or local level).	
N/A	
<b>Amount of aid granted</b>	
<b>Total amount of aid granted (in millions EUR)<sup>8</sup>. This includes all aid granted in your territory, including aid granted by regional and local authorities. (A+B+C)</b>	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>A: Total amount of aid granted (in millions EUR) paid by national central authorities<sup>9</sup></b>	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>B: Total amount of aid granted (in millions EUR) paid by regional authorities<sup>10</sup></b>	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>C: Total amount of aid granted (in millions EUR) paid by local authorities<sup>11</sup></b>	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>Share of expenditure per aid instrument (direct subsidy, guarantees etc.) (if available)</b>	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>Additional quantitative information</b> (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings) <sup>12</sup>	

<sup>8</sup> As stipulated in Paragraph 62 b) of the 2012 SGEI Framework.

<sup>9</sup> If the aid amount cannot be split between central, regional and local authorities only the total amount of aid granted for all authorities should be reported.

<sup>10</sup> See footnote 9.

<sup>11</sup> See footnote 9.

<sup>12</sup> The Commission would welcome any data that you might have on aid granted under the 2012 SGEI Decision, for example the number of beneficiaries per sector, average amount of aid, amount per aid instrument, size of the undertakings, etc. Should such other quantitative information data not be readily available in your Member

2020	2021
N/A	N/A

**Please also fill out the annexed summary excel file “SGEI Framework 2020 2021” with the total amounts per section for the whole Member State (not per region, local authority or municipality).**

#### **4. COMPLAINTS BY THIRD PARTIES**

Please provide an overview of complaints by third parties, in particular litigation before national courts, regarding measures in scope of the 2012 SGEI Decision or 2012 SGEI Framework. Please be as specific as possible in your reply and include the sector for which you have received the complaints, the contents of the complaints and the possible follow-up by your authorities or the likely outcome of the court proceedings.

#### **5. MISCELLANEOUS QUESTIONS**

a. We kindly invite you to indicate whether your authorities have experienced difficulties in applying the 2012 SGEI Decision and ask you to in particular consider the following issues:

- drawing up an entrustment act that complies with Article 4 of the SGEI Decision;
- specifying the amount of compensation in line with Article 5 of the SGEI Decision;
- determining the reasonable profit level in line with Article 5(5)-(8) of the SGEI Decision;
- regularly checking overcompensation as required by Article 6 of the SGEI Decision;

Please be as specific as possible in your reply, include relevant examples and, if applicable, the sector for which the difficulties are (most) relevant.

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State, they can of course be presented in a more aggregated and/or estimated way. In that case please indicate that estimations have been used as well as the type of aggregation made.

b. We kindly invite you to indicate whether your authorities have experienced difficulties in applying the 2012 SGEI Framework and ask you to in particular consider the following issues:

- carrying out a public consultation in line with paragraph 14 of the SGEI Framework;
- complying with public procurement rules in line with para 19 of the SGEI Framework;
- determining the net avoided cost as required by paras 25-27 of the SGEI Framework;
- determining the reasonable profit level in line with paras 33-38 of the SGEI Framework;

Please be as specific as possible in your reply, include relevant examples and, if applicable, the sector for which the difficulties are (most) relevant.

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c. If you have any other comments on the application of the SGEI Decision and the SGEI Framework on issues other than the ones covered in the previous questions please feel free to provide them below.

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## ANNEX

### **Services of General Economic Interest: guidance for report to be submitted following the 2012 SGEI Decision and the 2012 SGEI framework**

The **reporting obligations** are set out in the Article 9 of the 2012 SGEI Decision:

*Each Member State shall submit a report on the implementation of this Decision to the Commission every 2 years. The reports shall provide a detailed overview of the application of this Decision for the different categories of services referred to in Article 2(1), including:*

*(a) a description of the application of this Decision to the services falling within its scope, including in-house activities;*

*(b) the total amount of aid granted in accordance with this Decision, with a breakdown by the economic sector of the beneficiaries;*

*(c) an indication of whether, for a particular type of service, the application of this Decision has given rise to difficulties or complaints by third parties; and*

*(d) any other information concerning the application of this Decision required by the Commission and to be specified in due time before the report is to be submitted.*

Paragraph 62 of the 2012 SGEI Framework sets in principle identical reporting obligations for aid granted under the 2012 SGEI Framework.

Please structure your report as follows:

#### **1. EXPENDITURE OVERVIEW**

Please complete the following table:

<b>Total SGEI government expenditure by legal basis (millions EUR)</b>		
	2020	2021
<b><i>Total compensation for Services of General Economic Interest (1+2)</i></b>	<b>60.83</b>	<b>64.48</b>
(1) Total compensation granted on the basis of the SGEI Decision	N/A	N/A
(2) Total compensation granted on the basis of the SGEI Framework	<b>60.83</b>	<b>64.48</b>

#### **2. DESCRIPTION OF THE APPLICATION OF THE 2012 SGEI DECISION**

**Please structure this part of your report by the following sections:**

- 1) Hospitals providing medical care, including, where applicable, emergency services (Art. 2(1)(b))

- 2) Social services (Art. 2(1)(c))
  - a) Health and long term care
  - b) Childcare
  - c) Access to and reintegration into the labour market
  - d) Social housing
  - e) Care and social inclusion of vulnerable groups
  - f) Other social services (if applicable)
- 3) Air or maritime links to islands with average annual traffic not exceeding the limit set in Art. 2(1)(d)
- 4) Airports and ports with average annual traffic not exceeding the limit set in Art. 2(1)(e)
- 5) SGEI compensation not exceeding an annual amount EUR 15 million (Art. 2(1)(a))
  - a) Postal services
  - b) Energy
  - c) Waste collection
  - d) Water supply
  - e) Culture
  - f) Financial services
  - g) Other sectors (please specify)

**For each of the items outlined above please provide information in the form of the following table:**

Section (for example 1, hospitals or 2b, childcare)
N/A
Clear and comprehensive description of how the respective services are organized in your Member State <sup>1</sup>
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list the <b>contents of the services entrusted as SGEI</b> as clearly as possible.

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<sup>1</sup> If in a certain sector only a small number of individual SGEIs exist in your Member State, we appreciate a detailed description of those services. **If a large number of services are entrusted in a specific sector in your Member State (for example because the competence lies with regional or local authorities),**

N/A
Explanation of the (typical) <b>forms of entrustment</b> . If standardized templates for entrustments are used for a certain sector, please attach them.
N/A
<b>Average duration of the entrustment (in years)</b> and the proportion of entrustments that are <b>longer than 10 years</b> (in %) per sector. Specify in which sectors SGEI were entrusted with a duration exceeding 10 years and explain how this duration is justified?
N/A
Explanation whether (typically) <b>exclusive or special rights</b> are assigned to the undertakings.
N/A
Which <b>aid instruments</b> have been used (direct subsidies, guarantees, etc.)?
N/A
Typical <b>compensation mechanism</b> as regards the respective services and whether a methodology based on cost allocation or the net avoided cost methodology is used.
N/A
<b>Typical arrangements for avoiding and repaying any overcompensation.</b>
N/A
A short explanation of how the <b>transparency requirements</b> (see Article 7 of the 2012 SGEI Decision) for the aid above 15 million euro to undertakings that also have activities outside the scope of the SGEI are being complied with. In your answer please also include some relevant examples of information published for this purpose (e.g. some links to websites or other references), indicate whether you have a central website on which you publish this information for all aid measures concerned in your Member State (and if so provide the link to this website), or alternatively explain if and how the publication takes place at the level granting the aid (e.g. central, regional or local level).

**individual details of the entrustments would be disproportionate**, but a clear and concise general description of the way the sector is organised including the common features of the individual entrustments remains crucial.

N/A	
<b>Amount of aid granted</b>	
<b>Total amount of aid granted (in millions EUR)<sup>2</sup>.</b> This includes all aid granted in your territory, including aid granted by regional and local authorities. (A+B+C)	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>A: Total amount of aid granted (in millions EUR) paid by national central authorities<sup>3</sup></b>	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>B: Total amount of aid granted (in millions EUR) paid by regional authorities<sup>4</sup></b>	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>C: Total amount of aid granted (in millions EUR) paid by local authorities<sup>5</sup></b>	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>Share of expenditure per aid instrument</b> (direct subsidy, guarantees etc.) (if available)	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>Additional quantitative information</b> (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings) <sup>6</sup>	
<b>2020</b>	<b>2021</b>
N/A	N/A

**Please also fill out the annexed summary excel file “SGEI Decision 2020 2021” with the total amounts per section for the whole Member State (not per region, local authority or municipality).**

<sup>2</sup> As stipulated in Article 9 b) of the 2012 SGEI Decision.

<sup>3</sup> If the aid amount cannot be split between central, regional and local authorities only the total amount of aid granted for all authorities should be reported.

<sup>4</sup> See footnote 3.

<sup>5</sup> See footnote 3.

<sup>6</sup> The Commission would welcome any data that you might have on aid granted under the 2012 SGEI Decision, for example the number of beneficiaries per sector, average amount of aid, amount per aid instrument, size of the undertakings, etc. Should such other quantitative information data not be readily available in your Member State, they can of course be presented in a more aggregated and/or estimated way. In that case please indicate that estimations have been used as well as the type of aggregation made.

### 3. DESCRIPTION OF THE APPLICATION OF THE 2012 SGEI FRAMEWORK

Please structure this part of your report by the following sections:

SGEI compensation exceeding EUR 15 million, falling outside the SGEI Decision (please specify the Commission decision approving each measure if applicable):

- i. Postal services
- ii. Energy – **Commission Decision State Aid SA.45779 (2016/NN) – Malta – Delimara Gas and Power Energy Project**
- iii. Waste collection
- iv. Water supply
- v. Air or maritime links to islands with average annual traffic above the limits set in Art. 2(1)(d)
- vi. Airports and ports with average annual traffic above the limit set in Art. 2(1)(e)
- vii. Culture
- viii. Financial services
- ix. Other sectors (please specify)

For each of the items outlined above please provide information in the form of the following table:

Section (for example iii. Waste collection or viii. Financial services)
<b>ii. Energy</b>
Clear and comprehensive description of how the respective services are organized in your Member State <sup>7</sup>
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list the <b>contents of the services entrusted as SGEI</b> as clearly as possible.
<b>The contractual structure of the Project involves (i) a Security of Supply Agreement ("SSA"), (ii) an 18-year Power Purchase Agreement ("PPA") supplying up to 215</b>

<sup>7</sup> If in a certain sector only a small number of individual SGEIs exist in your Member State, we appreciate a detailed description of those services. If a large number of services are entrusted in a specific sector in your Member State (for example because the competence lies with regional or local authorities), individual details of the entrustments would be disproportionate, but a clear and concise general description of the way the sector is organised including the common features of the individual entrustments remains crucial. Since cases falling under the SGEI Framework will be limited in number, the Commission expects a detailed description of each concrete measure.

MW of energy every hour from the new Delimara 4 CCGT power plant to be constructed and (iii) an 18-year Gas Supply Agreement ("GSA") providing the volume of gas required to meet demand to both the Delimara 3 facility – having a capacity of around 144 MW – and the Delimara 4 power plant. There are other 'minor agreements' which relate to the operation of the project and are not considered to involve any State aid. All agreements regarding the Project (including the SSA, PPA and GSA) are referred to collectively as the "Transaction Agreements".

For the purpose of ensuring Malta's security of supply, the Transaction Agreements specifically require the facilities related to the Project to be dedicated solely for use by Enemalta.<sup>8</sup>

Through the Transaction Agreements, Enemalta will be benefiting from a fixed price for both electricity and gas for the first five years of supply.

EGM has agreed to make available electricity and gas to Enemalta, and supply electrical energy and gas when dispatched and nominated by Enemalta, for an eighteen (18) year term, pursuant to, inter alia, the terms of an Implementation Agreement (IA), the PPA, the GSA and the SSA.

The IA is an agreement between EGM and Enemalta, whereby EGM agreed to finance, design, construct, build, own, operate and transfer to Enemalta at the end of the term (i) the gas-fired power plant known as Delimara 4 and (ii) the LNG regasification facilities. EGM also agrees to procure LNG on a fixed and indexed priced basis for consumption as gas in Delimara 4 and delivery as gas to Delimara 3, and to procure and maintain the FSU for the term.

The IA will remain in force for eighteen years from the date on which the first Delimara 4 gas turbine satisfies the pre-agreed acceptance criteria set out in the PPA. In addition, the IA sets the term of the PPA and GSA, both of which shall become effective and expire on the same date as the IA, subject to early termination of the GSA at the option of Enemalta (referred to as the "GSA Exit").

The GSA Exit is designed to safeguard the envisaged future gas interconnector with Sicily (on the assumption that a ten year period would be sufficient for it to be implemented).

The IA includes "Take or Pay" provisions obliging Enemalta to consume or pay for agreed quantities of gas over specified reference periods. The quantities of gas subject to the "Take or Pay" obligation may be consumed as gas for the Delimara 3 plant or as electricity dispatched from Delimara 4, at the choice of Enemalta. Despite this "Take or Pay" obligation, Enemalta has a degree of flexibility in consuming less gas and diverting cargoes or requiring the sale of volumes of LNG.

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<sup>8</sup> This provision reflects the derogations from which Malta benefits pursuant to Article 44 of Directive 2009/72/EC ("Electricity Directive") and ensures that this level of security of supply is maintained should there be a change in policy in this regard.

On the basis of the Transaction Agreements, EGM is the principal source of gas supplied to Enemalta and, therefore, the principal source of energy for the Maltese Islands.

The PPA is an agreement between EGM and Enemalta, whereby EGM agreed to make available electrical energy to Enemalta, and to supply electrical energy when dispatched by Enemalta. In turn, Enemalta agreed to pay for availability of Delimara 4 and the electrical output delivered by EGM. The Energy Availability Payment and the Energy Delivery Payments are calculated on the basis of formulae set out in the PPA.

The GSA is an agreement between EGM and Enemalta, whereby EGM agreed to make gas available to Enemalta, and to supply gas to Delimara 3 when nominated by Enemalta. In turn, Enemalta agreed to pay for the availability of the LNG facilities and the gas delivered by EGM to Delimara 3. The Gas Availability Payment and the Gas Delivery Payments are calculated on the basis of formulae set out in the GSA.

The SSA has been drawn up as a tripartite agreement entered into between the Government of Malta, Enemalta and EGM to ensure that, should any circumstance arise which is capable of leading to the termination of the IA, PPA and GSA, or in the event that Enemalta is unable to continue procuring electricity and/or gas from EGM, the Government of Malta will be able to assume Enemalta's obligations under the relevant arrangements. Those mechanisms therefore provide for intervention of the Government of Malta in the event that the uninterrupted supply of power and gas for the Maltese Islands is prejudiced.

In such circumstances, where the SSA would be triggered, the Maltese Government's obligations are to purchase electricity and gas on terms that were agreed in the PPA and GSA.

Explanation of the (typical) **forms of entrustment**. If standardized templates for entrustments are used for a certain sector, please attach them.

N/A

**Average duration of the entrustment (in years)** and the proportion of entrustments that are **longer than 10 years** (in %) per sector. Specify in which sectors SGEI were entrusted with a duration exceeding 10 years and explain how this duration is justified?

**18 years for the IA, PPA and GSA.**

Explanation whether (typically) **exclusive or special rights** are assigned to the undertakings.

**No exclusive rights have been granted to EGM.**

Which **aid instruments** have been used (direct subsidies, guarantees, etc.)?

The measures in question (IA, PPA, GSA and SSA) have been considered by the European Commission to provide an economic advantage to EGM, since they ensure a certain IRR and a steady stream of revenues.

Typical **compensation mechanism** as regards the respective services and whether a methodology based on cost allocation or the net avoided cost methodology is used.

The compensation was based on the projected IRR for the project, compared to a benchmark IRR, taking into account the risk profile of the project.

In terms of Points 21 to 25 of the 2012 SGEI Framework: (i) the amount of the compensation must not exceed what is necessary to cover the cost of discharging the PSOs, including a reasonable profit; (ii) the amount of compensation can be established on the basis of either the expected costs and revenues or the costs and revenues actually incurred or a combination of the two; (iii) where the compensation is based, in whole or in part, on expected costs and revenues, they must be specified in the entrustment act, be based on plausible and observable parameters concerning the economic environment in which the SGEI is being provided and rely, where appropriate, on the expertise of sector regulators or of other entities independent from the undertaking; (iv) the net costs necessary, or expected to be necessary, should be calculated using the net avoided cost methodology where required or possible, or use alternative methods such as the cost allocation methodology; and (v) the net avoided cost methodology is based on determining the difference between the net cost for the provider of the service without the SGEI obligation and the cost for the provider with the SGEI obligation.

In this case, the Commission considered that: (i) the facilities and EGM's activity are fully dedicated to the SGEI; and (ii) there is no counterfactual scenario in which EGM would nevertheless undertake to realise the project in the absence of the SGEI obligation. For these reasons, the net avoided cost method was not appropriate. Where duly justified, the Commission can accept alternative methods for calculating the net cost necessary to discharge the PSOs, such as the methodology based on cost allocation.

Under the cost allocation methodology, the maximum amount of compensation should be calculated as the difference between revenues from fulfilling the SGEI obligation and costs (including a reasonable profit). However, in the present case, revenues are fixed through the PPA, as there is no energy market in Malta in which EGM can sell at a "market price".

Accordingly, it was established that the compensation provided to EGM is equal to the purchase price of the measures.

Therefore, insofar as the return on the Project does not exceed a suitable benchmark rate of return, the amount of compensation was not deemed to exceed the net costs associated with providing the SGEI.



The revenue taken into account included the entire revenue earned from the SGEI, which in this case is equivalent to the payments by Enemalta under the Transaction Agreements.

Therefore, the expected project returns were calculated reflecting the terms of all the Transaction Agreements, considered together. The projected revenues were deemed to include the delivery and availability payment to be received by EGM under both the PPA and the GSA.

The Commission also considered that, since during the PPA duration (18 years) the plant can only sell electricity to Enemalta when Enemalta dispatched it and the revenue it receives is set by pre-established formulae, no windfall profits would be possible even if the market in Malta develops in the future and there would be a chance that future Maltese electricity prices increase.

The SGEI Framework allows for the entity fulfilling the PSOs to achieve a reasonable profit. This is the rate of return on capital that would be required for a typical company considering whether or not to provide the SGEI for the whole duration of the entrustment act, taking into account the level of risk. Where duly justified, other profit level indicators can be used.

In this case, the Commission considered that the fact that EGM was selected following a competitive process ensured that the aid element contained in the PPA, GSA and SSA was kept to a minimum and was proportionate.

In addition, the project was expected to yield an IRR of 7.0% on a pre-tax nominal basis. The IRR had decreased from that originally anticipated and this also shows that the risk of cost increases is borne by EGM.

The expected IRR of the Project was below the expected benchmark rate of return and was also below the central estimate of the expected benchmark rate of return calculated in the context of the sensitivity analysis prepared by Enemalta's advisors. In addition, the expected IRR of the Project was deemed to be in line with the ones accepted by the Commission in previous decisions concerning similar cases.

The upfront definition of a fixed compensation level was also deemed to anticipate and incorporate the efficiency gains that EGM can be expected to make over the lifetime of the entrustment act, in particular, if EGM delivers a more efficient heat rate from Delimara 4, it will increase its profitability.

#### **Typical arrangements for avoiding and repaying any overcompensation.**

In this case, the Commission considered that the defined upfront fixed compensation level set out in the Transaction Agreements adequately anticipate and incorporate the efficiency gains that the public service provider can be expected to make over the period of entrustment, on the basis of an allocation of costs and revenues and of reasonable expectations, as set out above.

Accordingly, since the maximum level of profit to which EGM is entitled in accordance with the entrustment act (the Transaction Agreements) appeared

reasonable from an ex ante perspective, the Commission concluded that the measures do not lead to overcompensation.

A short explanation of how the **transparency requirements** (see Paragraph 60 of the 2012 SGEI Framework) are being complied with. In your answer please also include some relevant examples of information published for this purpose (e.g. some links to websites or other references), indicate whether you have a central website on which you publish this information for all aid measures concerned in your Member State (and if so provide the link to this website), or alternatively explain if and how the publication takes place at the level granting the aid (e.g. central, regional or local level).

**Point 60 of the Framework provides that Member States must publish, for each SGEI compensation they grant: (i) the results of the public consultation, (ii) the content and duration of the PSO, (iii) the undertakings and the territory concerned and (iv) the amounts of aid granted to the undertakings on a yearly basis.**

**In this case, the Maltese authorities will publish the above-mentioned information on a publicly accessible website.**

**In compliance with Article 6(2) of Commission Directive 2006/111/EC<sup>9</sup> the Maltese authorities also committed to ensure that the relationship with EGM (directly or indirectly through Enemalta) remains transparent. In particular, the Government of Malta will keep all the relevant financial information for five years and forward it to the Commission upon request. In addition, the content and duration of the PSO as well as the identity of the currently entrusted undertaking will be published accordingly as per relevant EU regulations.**

**The Maltese authorities will publish the following information on a publicly accessible website:**

- i. the results of the public consultations undertaken when drawing up the National Energy Policy;**
- ii. the content and duration of the PSO, in particular, a description of the main terms of the IA, PPA, GSA and SSA, as well as their duration;**
- iii. identify EGM as the beneficiary of the aid and the fact that the SGEI is to be performed in Malta; and**
- iv. identify the aid amount on a yearly basis.**

**A summary information sheet is published on:**

**<https://eufunds.gov.mt/en/SAMB/Pages/Other.aspx>**

<sup>9</sup> Commission Directive 2006/111/EC of 16 November 2006 on the transparency of financial relations between Member States and public undertakings as well as on financial transparency within certain undertakings (OJ L 318, 17.11.2006, p. 17).

Amount of aid granted	
<b>Total amount of aid granted (in millions EUR)<sup>10</sup>. This includes all aid granted in your territory, including aid granted by regional and local authorities. (A+B+C)</b>	
<b>2020</b>	<b>2021</b>
60.83	64.48
<b>A: Total amount of aid granted (in millions EUR) paid by national central authorities<sup>11</sup></b>	
<b>2020</b>	<b>2021</b>
60.83	64.48
<b>B: Total amount of aid granted (in millions EUR) paid by regional authorities<sup>12</sup></b>	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>C: Total amount of aid granted (in millions EUR) paid by local authorities<sup>13</sup></b>	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>Share of expenditure per aid instrument (direct subsidy, guarantees etc.) (if available)</b>	
<b>2020</b>	<b>2021</b>
N/A	N/A
<b>Additional quantitative information (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings)<sup>14</sup></b>	
<b>2020</b>	<b>2021</b>
N/A	N/A

**Please also fill out the annexed summary excel file “SGEI Framework 2020 2021” with the total amounts per section for the whole Member State (not per region, local authority or municipality).**

<sup>10</sup> As stipulated in Paragraph 62 b) of the 2012 SGEI Framework.

<sup>11</sup> If the aid amount cannot be split between central, regional and local authorities only the total amount of aid granted for all authorities should be reported.

<sup>12</sup> See footnote 11.

<sup>13</sup> See footnote 11.

<sup>14</sup> The Commission would welcome any data that you might have on aid granted under the 2012 SGEI Decision, for example the number of beneficiaries per sector, average amount of aid, amount per aid instrument, size of the undertakings, etc. Should such other quantitative information data not be readily available in your Member State, they can of course be presented in a more aggregated and/or estimated way. In that case please indicate that estimations have been used as well as the type of aggregation made.

#### 4. COMPLAINTS BY THIRD PARTIES

Please provide an overview of complaints by third parties, in particular litigation before national courts, regarding measures in scope of the 2012 SGEI Decision or 2012 SGEI Framework. Please be as specific as possible in your reply and include the sector for which you have received the complaints, the contents of the complaints and the possible follow-up by your authorities or the likely outcome of the court proceedings.

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#### 5. MISCELLANEOUS QUESTIONS

a. We kindly invite you to indicate whether your authorities have experienced difficulties in applying the 2012 SGEI Decision and ask you to in particular consider the following issues:

- drawing up an entrustment act that complies with Article 4 of the SGEI Decision;
- specifying the amount of compensation in line with Article 5 of the SGEI Decision;
- determining the reasonable profit level in line with Article 5(5)-(8) of the SGEI Decision;
- regularly checking overcompensation as required by Article 6 of the SGEI Decision;

Please be as specific as possible in your reply, include relevant examples and, if applicable, the sector for which the difficulties are (most) relevant.

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b. We kindly invite you to indicate whether your authorities have experienced difficulties in applying the 2012 SGEI Framework and ask you to in particular consider the following issues:

- carrying out a public consultation in line with paragraph 14 of the SGEI Framework;
- complying with public procurement rules in line with para 19 of the SGEI Framework;
- determining the net avoided cost as required by paras 25-27 of the SGEI Framework;

- determining the reasonable profit level in line with paras 33-38 of the SGEI Framework;

Please be as specific as possible in your reply, include relevant examples and, if applicable, the sector for which the difficulties are (most) relevant.

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- c. If you have any other comments on the application of the SGEI Decision and the SGEI Framework on issues other than the ones covered in the previous questions please feel free to provide them below.

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SGEI Decision in your Member State		Total amount for whole Member State	
		2020	2021
<b>Article 2(1)(b)</b>	Hospitals providing medical care, including, where applicable emergency services		
<b>Article 2(1)(c)</b>	Health and long term care		
	Childcare		
	Access and reintegration into the labour market		
	Access and reintegration into the labour market		
	Social housing		
	Care and social inclusion of vulnerable groups		
	Other social services		
<b>Article 2(1)(d)</b>	Air or maritime links		
<b>Article 2(1)(e)</b>	Airports and ports		
<b>Article 2(1)(a), less then EUR 15 million per year</b>	Postal		
	Energy	€ 6.280.000,00	€ 18.580.000,00
	Waste collection	€ 7.210.000,00	€ 6.570.000,00
	Water supply		
	Culture	€ 5.500.000,00	€ 5.720.000,00
	Financial services		
	Other		

SGEI Framework in your Member State	Total amount for whole Member State	
	2020	2021
Postal		
Energy	€ 60.830.000,00	€ 64.480.000,00
Waste collection		
Water supply		
Air or maritime links		
Airports and ports		
Culture		
Financial services		
Other		