

ANNEX: SGEI REPORT SHEETS – June 2014

Culture, Youth, Sport & Media Policy Area
Sub-area: MEDIA
1) Structural aid to the Flemish regional television broadcasting organisations
2) Accessibility aid to private television broadcasting organisations for television programmes

Clear and comprehensive description of how the respective services are organised in your Member State	
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list the contents of the services entrusted as SGEI as clearly as possible.	<u>1) Structural aid to the Flemish regional television broadcasting organisations:</u> <ul style="list-style-type: none"> – vzw Antwerpse Televisie (ATV) – vzw Regionale Omroep Brabant (ROB) – bvba RTV (TV-Kempen en Mechelen) – nv TV Oost-Vlaanderen (TV Oost) – vzw Audio Video Studio Oost-Vlaamse Televisie (AVS) – vzw niet-openbare regionale televisievereniging Brussel (tvbrussel) – vzw Tele-Visie-Limburg (TV Limburg) – vzw West-Vlaamse Televisie Regio Zuid (WTV) – vzw FOCUS Televisie – regional television for the north of West Flanders – vzw Regionale Televisie Vlaams-Brabant, Halle-Vilvoorde (Ring TV)
Explanation of the (typical) forms of entrustment . If standardised templates for entrustments are used for a certain sector, please attach them.	Decree of 27 March 2009 on radio broadcasting and television (= Media Decree) Cooperation agreements (2012-2016) with the Flemish regional television broadcasters (no standardised template)
Explanation of the (typical) duration of the entrustment and the range of durations of the entrustments. Please also specify the proportion of entrustments that are longer than 10 years.	Duration of the cooperation agreement = 5 years
Explanation whether (typically) exclusive or special rights are assigned to the undertakings.	None
Explanation of the (typical) compensation mechanism as regards the respective services, including the aid instrument (direct subsidy, guarantee, etc.) used and whether a methodology based on cost allocation or the net avoided cost methodology is used.	Operating and project grant via annual subsidy decree implementing cooperation agreement Annual reporting on implementation of the cooperation agreement via cost allocation methodology
Explanation of the (typical) arrangements for avoiding and repaying any overcompensation .	Annual statement of account with report by auditor or external accountant

Amount of aid granted	
Total amount of aid granted This includes all aid paid in your territory, including aid paid by regional and local authorities	<p>The annual aid to the Flemish regional television broadcasters from media policy is EUR 2 076 000. This sum represents a subsidy of EUR 205 100 per Flemish regional television broadcaster. Only RTV receives an additional EUR 25 000 because this broadcaster serves two news areas.</p> <p>There is no prospect of any other financing for the Flemish regional television broadcasting organisations from media policy.</p>
Other quantitative information	/

Clear and comprehensive description of how the respective services are organised in your Member State	
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list the contents of the services entrusted as SGEI as clearly as possible.	<u>2) Accessibility aid to private television broadcasting organisations for television programmes:</u> <ul style="list-style-type: none"> – N.V. Vlaams Media maatschappij (VMMa); with effect from 2014: Medialaan – N.V. SBS Belgium
Explanation of the (typical) forms of entrustment . If standardised templates for entrustments are used for a certain sector, please attach them.	Article 151 of the Decree of 27 March 2009 on radio broadcasting and television (= Media Decree) Flemish Government Decree of 14 December 2012 establishing a timeframe and quota for making radio and television programmes accessible and concerning the provision of subsidies for implementing Article 151 of the Media Decree (= implementing decree)
Explanation of the (typical) duration of the entrustment and the range of durations of the entrustments. Please also specify the proportion of entrustments that are longer than 10 years.	10 years starting from the date of entry into force of the implementing decree (i.e. date of publication in the Belgian Official Gazette, specifically 19 December 2012)
Explanation whether (typically) exclusive or special rights are assigned to the undertakings.	None
Explanation of the (typical) compensation mechanism as regards the respective services, including the aid instrument (direct subsidy, guarantee, etc.) used and whether a methodology based on cost allocation or the net avoided cost methodology is used.	Project grant via subsidy decree Annual reporting on implementation of the aid measure for the relevant year in accordance with the ministerial decree via cost allocation methodology
Explanation of the (typical) arrangements for avoiding and repaying any overcompensation .	Annual statement of account with report by auditor or external accountant

Amount of aid granted	
Total amount of aid granted This <u>includes all aid paid in your territory, including aid paid by regional and local authorities</u>	The following aid has been granted by media policy: 2012: EUR 396 529 to VMMA and EUR 77 471 to SBS Belgium 2013: EUR 351 000 to VMMA and EUR 123 000 to SBS Belgium 2014: EUR 345 775 to VMMA and EUR 128 225 to SBS Belgium There is no prospect of any other financing for these private television broadcasting organisations from media policy.
Other quantitative information	/

Flemish Foreign Affairs Policy Area
Sub-area: TOURISM
vzw Koninklijke Maatschappij voor Dierkunde van Antwerpen

Clear and comprehensive description of how the respective services are organised in your Member State	
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list the contents of the services entrusted as SGEI as clearly as possible.	(tourism) vzw Koninklijke Maatschappij voor Dierkunde van Antwerpen [Royal Zoological Society of Antwerp] Nature conservation – scientific research – heritage – social tourism
Explanation of the (typical) forms of entrustment . If standardised templates for entrustments are used for a certain sector, please attach them.	Cooperation agreement (no standardised template)
Explanation of the (typical) duration of the entrustment and the range of durations of the entrustments. Please also specify the proportion of entrustments that are longer than 10 years.	The term of the Flemish Government
Explanation whether (typically) exclusive or special rights are assigned to the undertakings.	None
Explanation of the (typical) compensation mechanism as regards the respective services, including the aid instrument (direct subsidy, guarantee, etc.) used and whether a methodology based on cost allocation or the net avoided cost methodology is used.	Operating grant Investment grant Annual reporting on implementation of the cooperation agreement
Explanation of the (typical) arrangements for avoiding and repaying any overcompensation .	None

Amount of aid granted	
Total amount of aid granted This <u>includes all aid paid in your territory, including aid paid by regional and local authorities</u>	Operating grant: 2.4 million/year Investment grant: 3.8 million/year
Other quantitative information	/

Welfare, Public Health and Family Policy Area
Sub-area:
1) Childcare 2) Service flats

Clear and comprehensive description of how the respective services are organised in your Member State	1) CHILDCARE
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list the contents of the services entrusted as SGEI as clearly as possible.	<p>Definition of childcare</p> <p>(Article 2(2) of the Decree of 20 April 2012 on the organisation of childcare for babies and young children)</p> <p>‘childcare for babies and young children, that is looking after, contributing to the development of and caring for babies and young children, on a professional basis and in return for payment, until they go to nursery school as specified in Article 3(26) of the Decree of 25 February 1997 on primary education’</p> <p>Location of childcare</p> <p>Childcare may be organised only if the organiser has a licence for childcare. In order to obtain and hold a licence, the organiser must comply with the licence conditions. The licence conditions must guarantee a minimum quality. There is no corresponding subsidy for this, and it applies to everyone (Flemish Community) who wants to organise childcare. In other words, an organiser of childcare must always comply with the licence conditions without receiving a subsidy for this purpose.</p> <p>Organisers with a licence (i.e. who already comply with the licence conditions and consequently guarantee a minimum quality) can obtain one or more subsidies if they meet additional conditions, namely subsidy conditions. These are conditions which are linked to the provision of specific services. Organisers must fulfil specific subsidy conditions, depending on the subsidy. The government subsidises provision of these specific services.</p> <p>Services which are subsidised</p> <p>(The following references to articles concern articles from the Flemish Government Decree of 22 November 2013 establishing subsidies and the conditions attached thereto for the provision of specific family-based and group-based childcare services for babies and</p>

	<p>young children. Official title: Subsidies Decree of 22 November 2013)</p> <p><u>Basic subsidy</u></p> <p>Article 1(1) (definition) ‘basic subsidy: the subsidy for provision of the basic service, operated as indicated in Article 7 of the Decree of 20 April 2012’.</p> <p>Conditions for Specific Services – Basic subsidy (Articles 14, 15 and 16)</p> <p>‘Article 14. Organisers shall provide at least 220 opening days per full calendar year at the level of:</p> <ol style="list-style-type: none"> 1) the subsidised group, for home-based care; 2) each childcare facility for which the organiser fulfils the conditions set out in Articles 15 and 16, for group-based care. <p>The number of days, indicated in paragraph (1), shall be reduced proportionally:</p> <ol style="list-style-type: none"> 1) for home-based care, if none of the childcare facilities operate for a full calendar year; 2) for group-based care, if the childcare facility does not operate for a full calendar year. <p>The Minister shall lay down the detailed rules for calculating this proportion.</p> <p>Article 15. Organisers shall have a certificate of active knowledge of Dutch for the child-carers, as laid down by the Minister, showing that the level of competence achieved in the language is EFR level B1 for listening and conversation and EFR level A2 for reading and writing.</p> <p>For every three full-time equivalent child-carers, at organiser level, with a certificate of active knowledge of Dutch as indicated in the first paragraph, organisers may employ one child-carer without such a certificate, on condition that:</p> <ol style="list-style-type: none"> 1) this child-carer obtains that certificate a maximum of four years after starting work as child-carer for the organiser; 2) a child-carer with that certificate is always present at the childcare facility. <p>Article 16. Organisers shall ensure that Dutch is used in activities by implementing a language policy that encourages the acquisition of Dutch and supports the people in charge and child-carers, while at the same time respecting the language that the child speaks in his/her home environment.’</p> <p><u>Subsidy for income-related charges</u></p>
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	<p>Article 1(17) (definition) ‘subsidy for income-related charges: the subsidy for the provision of childcare for which the families pay a price based on income, and for providing access to childcare for certain families, indicated in Article 8 of the Decree of 20 April 2012’</p> <p>Conditions for Specific Services (Articles 20 to 36/1 + conditions for basic subsidy)</p> <p>‘Section 1. Opening hours and occupancy</p> <p>Article 20. Organisers shall ensure that, on the minimum opening days indicated in Article 14, the facility is open for an uninterrupted period of at least eleven hours between 0600 and 2000.</p> <p>Article 21. Organisers shall have an occupancy rate of at least 80 % per calendar year. Occupancy shall be calculated on the basis of 220 opening days and the number of subsidised childcare places for which the organiser receives the subsidy for income-related charges.</p> <p>All childcare services performed for the children cared for at the childcare facilities of the same subsidised group, which comply with the conditions laid down in Articles 20 to 36, shall be eligible for calculation of the occupancy rate.</p> <p>The Minister shall lay down the detailed rules, including calculation of the occupancy rate.</p> <p>Section 2. Access for certain families</p> <p>Article 22. Organisers shall give priority to certain families in the following way:</p> <ol style="list-style-type: none"> 1) Absolute priority for families who require childcare because of their work situation. When choosing between applications, organisers shall always give priority to the application from the family who require childcare in order to look for work or to keep a job or to pursue vocational training for this purpose. 2) Priority shall be given to single parents. 3) Priority shall be given to families with an income which is less than a certain amount. 4) Priority shall be given to foster children who need childcare. 5) Priority shall be given to children who have a sister or brother being cared for at the childcare facility. <p>Furthermore, organisers shall ensure that at least 20 % of all children who are cared for on an annual basis are children from families who</p>
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	<p>fulfil at least two of the first four criteria set out in the first paragraph. Children from vulnerable families shall also be included for the purpose of calculating that percentage. That percentage shall be calculated over all childcare facilities of the subsidised group which applies the income-related charges referred to in Article 28. As long as 20 % is not reached, it is possible to depart from the absolute priority set out in subparagraph (1) of the first paragraph.</p> <p>Organisers shall include the way in which they apply priority in their rules and regulations.</p> <p>The Minister shall lay down the detailed rules, including the amount of income.</p> <p>Article 23. In accordance with Article 8(1) of the Decree of 20 April 2012, at childcare facilities in the bilingual region of Brussels-Capital, priority shall be given to children with at least one parent who has a sufficient command of Dutch, up to a maximum of 55 % of their care capacity, subject to the provisions of Article 8(1) of the aforementioned decree.</p> <p>Furthermore, organisers shall ensure that at least a percentage of all children cared for on an annual basis, as specified by the organiser, up to a maximum of 55 %, shall be children from families as indicated in the first paragraph. That percentage shall include a minimum of one child and is justified on the basis of the necessity and proportionality of it in relation to the objective to be achieved, namely that children in the bilingual region of Brussels-Capital who are being brought up using Dutch within the family can have continuity with that language in childcare. That percentage shall be calculated over all childcare facilities of the subsidised group which apply the income-related charges referred to in Article 28.</p> <p>Organisers shall include the way in which they apply priority in their rules and regulations.</p> <p>Section 3. Organisational management</p> <p>Article 24. Organisers with more than eighteen places eligible for subsidy at the level of the organiser shall be a legal entity pursuing a social objective.</p> <p>Article 25. Organisers as referred to in Article 24 shall ensure that the group-based child-carers who are required according to the number of children present at the same time have employee status.</p> <p>The requirement set out in paragraph 1 does not apply to the child-carer who is also the person in charge.</p> <p>Article 26. Organisers as referred to in Article 24:</p>
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	<p>1) shall keep accounts according to the double-entry principle and shall add an extension to their system of accounts;</p> <p>2) shall draw up a financial report each year consisting of:</p> <p>a) approved annual accounts of the legal entity;</p> <p>b) a profit and loss account, subdivided according to group-based care or home-based care;</p> <p>c) a list of all subsidy amounts, linked to childcare, which have been awarded by an authority, stating the awarding authority and the purpose of the subsidy.</p> <p>The conditions laid down in the first paragraph (1) and (2) (a) and (b) do not apply to a public administration. A public administration shall have a profit and loss account subdivided according to group-based care or family-based care.</p> <p>Organisers shall have the financial report available not later than seven months after the end of the financial year.</p> <p>The Minister shall lay down the detailed rules inter alia for the supplementary extension of the system of accounts.</p> <p>Section 4. System of income-related charges</p> <p>Sub-section 1. System for all childcare places at the childcare facility</p> <p>Article 27. Organisers shall operate the system of income-related charges set out in Articles 28 to 36 for all childcare places at the childcare facility, except for the children who form part of the home environment of the home-based child-carer and for whom the child-carer is responsible.</p> <p>Sub-section 2. Payment for reserved childcare days</p> <p>Article 28. Under Article 8(3)(1) of the Decree of 20 April 2012, families shall pay for the childcare days reserved by them. More specifically, contract holders shall pay for the childcare days reserved by them, as laid down in the care plan set out in the written agreement, and for any additionally agreed childcare days.</p> <p>The contract holder shall pay:</p> <p>1) when the child is present at the childcare facility: the income-related charge calculated as indicated in Articles 32 and 33, or the individual reduced income-related charge calculated in accordance with Article 34;</p> <p>2) when the child is absent: a charge to be fixed by the organiser with a</p>
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	<p>maximum of the maximum charge indicated in Article 33(1)(2)(c). The organiser shall include that amount in the rules and regulations and in the written agreement.</p> <p>Article 29. Notwithstanding Article 28, the contract holder shall pay nothing for:</p> <ol style="list-style-type: none"> 1) reserved childcare days which fall on days when the childcare facility is closed; 2) justified days of absence. Justified days of absence are childcare days reserved in the care plan on top of the days of closure indicated in (1), on which the contract holder does not allow the child to go to childcare and for which the organiser must allow at least a minimum number per calendar year, regardless of reason. The organisers shall include the number in the rules and regulations and in the written agreement. <p>The Minister shall lay down the minimum number of justified days of absence per calendar year available to the contract holder.</p> <p>Article 30. The income-related charge shall cover childcare services for a period of up to eleven hours, excluding night-time. 60 % of the income-related charge is applicable to childcare services for a period of up to five hours.</p> <p>The Minister shall lay down the detailed rules for determining the length of stay.</p> <p>Article 31. Families do not pay anything on top of the income-related charge, except for an additional charge which organisers may require for:</p> <ol style="list-style-type: none"> 1) specified additional costs; 2) reservation or guarantee of a childcare place. If organisers ask for a registration fee, security or any other sum regardless of name, before commencement of the childcare, this can be for a maximum amount only and as a guarantee of the following obligations by the contract holder, which are shown in the written agreement or the rules and regulations: <ol style="list-style-type: none"> a) compliance with the written reservation of a childcare place; b) payment of invoices; c) compliance with cancellation terms. <p>The Minister shall lay down the detailed rules for determining the additional charge.</p> <p>Sub-section 3. Determination of income-related charges</p>
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	<p>Article 32. The contract holder shall request calculation of the income-related charge via the calculation tool on the Child and Family [Kind en Gezin] website. The income-related charge is then calculated in accordance with Child and Family administrative guidelines.</p> <p>The contract holder shall give the result of this calculation to the organiser by means of a certificate of income-related charge from Child and Family not later than the start of the childcare. Organisers shall provide information and support for the contract holder to this end, if necessary. The certificate of income-related charge shall state a start date and an end date, in accordance with Child and Family administrative guidelines.</p> <p>Children of contract holders who do not meet the condition set out in the first and second paragraphs cannot be cared for by an organiser who operates the system referred to in Article 27.</p> <p>The maximum charge indicated in Article 33 shall apply to children who were already being cared for before 1 April 2014 and for whom the contract holder has not met the condition set out in the first and second paragraphs.</p> <p>Article 33. The income-related charge shall be calculated:</p> <ol style="list-style-type: none"> 1) on the basis of income as indicated in the most recent Belgian notice of assessment for personal income tax and supplementary taxes, as supplied by the Federal Public Service Finance in the Child and Family calculation tool, of the contract holder and any other person residing at the same address as provided by the Crossroads Bank for Social Security, referred to in the Act of 15 January 1990 on the establishment and organisation of a Crossroads Bank for Social Security. 2) in accordance with the following principles: <ol style="list-style-type: none"> a) income, up to a specified amount, shall be multiplied by a coefficient; b) a minimum charge shall apply; c) a maximum charge shall apply; d) reductions shall apply. 3) at the following times: <ol style="list-style-type: none"> a) the month prior to the month in which the childcare starts; b) the month in which the change by the person indicated in (1) is recorded in the calculation tool; c) the month in which an additional child is recorded in the calculation
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	<p>tool concerning the person indicated in (1);</p> <p>d) the month in which the child reaches the age of three.</p> <p>The Minister shall lay down the detailed rules, including what income is liable in the absence of a Belgian notice of assessment for personal income tax and supplementary taxes, and the times at which that income is calculated, which person residing at the same address is liable, and detailed principles for calculating the income-related charge.</p> <p>Article 34(1). The contract holder may apply for recalculation for the purpose of an individual reduced income-related charge via the calculation tool on the Child and Family website.</p> <p>The requested recalculation shall be carried out only:</p> <ol style="list-style-type: none"> 1) if unemployment data are available for the contract holder or the person residing at the same address, as indicated in Article 33(1), and if the recalculation based on income and in accordance with the principles set out in Article 33(2) results in a lower income-related charge compared to the charge initially calculated; 2) if the contract holder or the person residing at the same address, as indicated in Article 33(1), receives an integration allowance as set out in the Act of 26 May 2002 on the right to social integration and after submission of a decision to award an integration allowance by the Openbaar Centrum voor Maatschappelijk Welzijn (Public Centre for Social Welfare); 3) if the contract holder or the person residing at the same address, as indicated in Article 33(1) has suffered a structural fall in income as indicated in subparagraph (2); 4) if the Public Centre for Social Welfare has given a decision as indicated in subparagraph (3). <p>An individual reduced income-related charge is assigned for one year, after which the income-related charge initially calculated, increased by any indexation, shall automatically be applied again, and shall apply until the end of the month in which the child reaches the age of three at the latest.</p> <ol style="list-style-type: none"> 2. Only a 20 % fall in income compared to the initially calculated income-related charge, which continues for at least three consecutive months is eligible, after submission of the necessary supporting documents. This fall cannot be taken into account retrospectively. Child and Family shall lay down the detailed administrative guidelines. 3. The Public Centre for Social Welfare shall decide on an individual reduced income-related charge at the request of a contract holder and if it appears that it is financially impossible for the contract holder to
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	<p>pay the calculated or individual reduced income-related charge. The individual reduced income-related charge shall be 50 % of the income-related charge initially calculated, with a minimum of the minimum charge indicated in Article 33(2)(b), or it shall be the minimum charge indicated in Article 33(2)(b).</p> <p>The Public Centre for Social Welfare shall inform Child and Family of the amount of the individual reduced income-related charge electronically.</p> <p>4. The contract holder shall pass on the result of the recalculation as indicated in subparagraph (1) to the organiser by means of a certificate of income-related charge from Child and Family. The certificate of income-related charge shall state a start date and an end date in accordance with Child and Family administrative guidelines.</p> <p>5. Contract holders who, before the date of entry into force of the Decree of 20 April 2012, benefit from a social rate reduction under the Flemish Government Decree of 23 February 2001 laying down the conditions for accreditation and subsidisation of day nurseries and services for child-minders, more specifically pursuant to Article 16 of the Ministerial Decree of 17 March 2008 determining the financial contribution by families for the care of children in day nurseries and services for child-minders, shall retain the social rate reduction until 31 March 2015, provided that the organiser of the child-care facility in question informs Child and Family of that fact electronically.</p> <p>Sub-section 4. Invoicing and collection of income-related charges</p> <p>Article 35. Organisers shall be responsible for invoicing and collection of the income-related charge, calculated or individually reduced as indicated in Articles 32 to 34, with respect to the contract holder.</p> <p>The Minister shall lay down the detailed rules.</p> <p>Sub-section 5. Incorrect information or failure to pass on up-to-date information</p> <p>Article 36. If the contract holder provides incorrect information or fails to pass on up-to-date information, Child and Family may take either of the following measures:</p> <ol style="list-style-type: none"> 1) require payment of a maximum charge; 2) fix the income-related charge again. <p>The Minister shall lay down the detailed rules.</p> <p>Article 36/1. Within three months of the certificate of income-related charge being drawn up, the contract holder may make an adjustment in the calculation tool on the Child and Family website in accordance with</p>
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	<p>Child and Family administrative guidelines. The contract holder shall pass on the result of that adjustment to the organiser by means of a certificate of income-related charge.'</p> <p><u>Enhanced subsidy</u></p> <p>Article 1(14) (definition) 'enhanced subsidy: the subsidy for implementation of childcare tasks in support of vulnerable families and for provision of access for those families, as set out in Article 9 of the Decree of 20 April 2012'</p> <p>Definition of vulnerable family: a family fulfilling at least two criteria (see Article 1(10) Decree)</p> <p>Conditions for Specific Services (Articles 38 to 40 + conditions for basic subsidy and subsidy for income-related charges)</p> <p>'Section 1. Access for certain families</p> <p>Article 38. Organisers shall give priority to vulnerable families. When choosing between applications, organisers shall always give priority to the application from the vulnerable family. Moreover, priority is to be given to families who require childcare because of their work situation, as indicated in Article 22(1), only if there is no application for a vulnerable family.</p> <p>Furthermore, organisers shall ensure that at least 30 % of the children who are cared for on an annual basis are children from vulnerable families. That percentage shall be calculated over all childcare facilities of the subsidised group which apply the conditions set out in Articles 39 and 40.</p> <p>Organisers shall include the way in which they apply priority in their rules and regulations.</p> <p>The Minister shall lay down the detailed rules, including the amount of income as a criterion for the financial situation of a vulnerable family.</p> <p>Section 2. Operation</p> <p>Article 39. Organisers shall ensure:</p> <ol style="list-style-type: none"> 1) implementation of a proactive inclusion policy to give vulnerable families a childcare place in their own childcare facility, with consideration for occasional and urgent childcare, in cooperation with other organisations, with agencies which work with families who may have childcare issues, and with the local childcare offices in the care district; 2) coordination of the effects on vulnerable families;
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	<p>3) development and dissemination, within the sector, of their own expertise in dealing respectfully with differences between families, with particular attention to vulnerable families, in cooperation with childcare support organisations and with the local childcare consultative body.</p> <p>4) joint implementation of local objectives with regard to social family policy, as laid down in the local government multi-annual planning, in cooperation with local government and with other local actors;</p> <p>5) efforts to recruit workers from vulnerable groups and to offer them equivalent opportunities at the childcare facility;</p> <p>6) work on participation by and involvement of families, workers and the neighbourhood, and promotion of cohesion between these families, workers, the neighbourhood and the operation of the childcare facility;</p> <p>7) appropriate use of staff or specific expertise.</p> <p>Article 40. Organisers shall have procedures and processes for provision of the services indicated in Article 39. Organisers shall include these procedures and processes in their quality manual, and more specifically in the quality management system.'</p> <p><u>Subsidy for childcare with flexible opening times</u></p> <p>Article 1(17)/1 (definition) 'subsidy for childcare with flexible opening times: the subsidy for the provision of childcare at flexible opening times, as set out in Article 10(1) of the Decree of 20 April 2012. This subsidy comprises three different forms:</p> <p>a) subsidy for flexible home-based care: the subsidy for childcare at flexible opening times in a childcare facility for home-based care;</p> <p>b) subsidy for flexible group-based care: the subsidy for childcare at flexible opening times in a childcare facility for group-based care;</p> <p>c) subsidy for flexible hourly packages of group-based care: the subsidy for childcare services provided at flexible opening times, for a number of hourly packages assigned by Child and Family'.</p> <p>Definition of flexible opening times: see Article 1, (3)/1 of the Decree.</p> <p><u>Subsidy for flexible home-based care</u></p> <p>Conditions for Specific Services (Articles 40/2 to 40/4)</p> <p>'Article 40/2. Organisers shall provide for childcare at flexible opening times.</p> <p>Article 40/3. The contract holder shall pay for childcare services at flexible opening times:</p>
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	<p>1) for a period of up to eleven hours between 0600 and 2000, or at night: an income-related charge as indicated in Articles 30 to 34;</p> <p>2) for a period of eleven hours or longer between 0600 and 2000, or at night: 160 % of the income-related charge indicated in (1);</p> <p>Article 40/4. Organisers shall have a policy on childcare with flexible opening times, taking into account the capacity of the child, and shall include this in the rules and regulations.</p> <p>Organisers with more than 18 licensed childcare places shall set out in the quality manual, more specifically in the quality management system, what form the policy on childcare at flexible opening times takes.'</p> <p><u>Subsidy for flexible group-based care</u></p> <p>Conditions for Specific Services (Article 40/6)</p> <p>'Article 40/6. Organisers shall provide for at least 440 hours of childcare at flexible opening times per calendar year.'</p> <p><u>Subsidy for flexible hourly packages of group-based care</u></p> <p>Conditions for Specific Services (Articles 40/8 to 40/10)</p> <p>'Article 40/8. Organisers shall provide for at least 150 child attendances per hourly package. Child attendance means: the attendance of a child per hour or part thereof at flexible opening times.</p> <p>Article 40/9. The contract holder shall pay the income-related charge indicated in Article 40/3.</p> <p>Article 40/10. Organisers shall comply with conditions laid down in Article 40/4.'</p> <p><u>Subsidy for inclusive childcare</u></p> <p>Article 1(15) (definition) 'subsidy for inclusive childcare: the subsidy for implementation of tasks with regard to inclusive childcare for children with specific care needs, as set out in Article 10(2) of the Decree of 20 April 2012'</p> <p>This subsidy comprises three forms of subsidy:</p> <ul style="list-style-type: none"> – subsidy for individual inclusive childcare – subsidy for structured inclusive childcare – subsidy for a Centre for inclusive childcare
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	<p>Article 1(16) (definition) ‘subsidy for individual inclusive childcare: the subsidy for the provision of inclusive childcare for an individual child with specific care needs, for whom Child and Family has made a specific allocation of a specified duration’</p> <p>Conditions for Specific Services (Articles 42 to 44)</p> <p>‘Article 42. Organisers shall ensure that more intensive care is offered for children with specific care needs, consisting of:</p> <ol style="list-style-type: none"> 1) adapted infrastructure; 2) adapted use of staff or specific expertise; 3) adapted childcare procedures and specific childcare support. <p>Article 43. Organisers shall subscribe to the general principles of Article 3 of the International Convention of 13 December 2006 on the Rights of Persons with Disabilities.</p> <p>Article 44. Organisers shall regularly assess the way in which they implement the conditions set out in Article 42 and adjust their actions as necessary.’</p> <p>Article 1(18) (definition): ‘<u>subsidy for structured inclusive childcare</u>: the subsidy for implementation of the structured development of inclusive childcare within a childcare facility’</p> <p>Conditions for Specific Services (Articles 47 to 50)</p> <p>‘Article 47. Organisers shall ensure that more intensive care is offered in a structured way for children with specific care needs, consisting of:</p> <ol style="list-style-type: none"> 1) adapted infrastructure; 2) adapted use of staff or specific expertise; 3) adapted childcare procedures and specific childcare support; 4) specific analysis-based annual training. <p>Article 48. Organisers shall ensure that each childcare facility where inclusive childcare takes place is linked to a network of available institutions or care-providers with specific expertise with regard to children with specific care needs, which can be called on for collaboration.</p> <p>Article 49. Organisers shall have an occupancy rate of at least 60 % per calendar year. Occupancy shall be calculated on the basis of the number of subsidised childcare places for which the organiser receives</p>
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	<p>the subsidy for structured inclusive childcare.</p> <p>To calculate the occupancy rate, all childcare services provided for the children with specific care needs cared for at the childcare facilities of the same subsidised group shall be taken into account.</p> <p>The Minister shall lay down the detailed rules, including calculation of the occupancy rate.</p> <p>Article 50. Organisers shall pursue a policy regarding such inclusive childcare, taking into account the condition set out in Article 43, and shall include this in the rules and regulations.</p> <p>Organisers with more than 18 licensed childcare places shall set out the inclusive childcare in the quality manual, more specifically in the quality policy and in the quality management system.'</p> <p>Article 1(14)/1 (definition) '<u>subsidy for a Centre for inclusive childcare</u>: the subsidy for pursuing a proactive inclusion policy, implementation of inclusive childcare, dissemination of expertise and raising awareness of inclusive childcare, in cooperation with other actors responsible for inclusion, granted to an organiser with at least 22 subsidised childcare places with a subsidy for income-related charges within that care district'</p> <p>Conditions for Specific Services (Articles 50/2 to 50/5)</p> <p>'Article 50/2. Organisers shall ensure:</p> <ol style="list-style-type: none"> 1) implementation of a proactive inclusion policy to give children with specific care needs a childcare place in one or more of their own childcare facilities, in cooperation with other organisers, with agencies which work with families with a child with a specific care need and with the local childcare offices in the care district; 2) implementation of inclusive childcare in one or more of their own childcare facilities, in which they cooperate with a network of available institutions or care-providers with specific expertise with regard to children with specific care needs, which can be called on for cooperation, or with associations of families as "hands-on" experts, so that at least the tasks set out in Article 50/4 are carried out; 3) the development and dissemination of expertise for implementation of inclusive childcare within the entire care district, in cooperation with childcare support organisations accredited by Child and Family and with the local childcare consultative bodies, paying particular attention to advisory programmes to support other childcare organisers in implementing inclusive childcare. The objective is for at least seven childcare facilities to provide care for at least one child with specific care needs;
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	<p>4) joint implementation of local and provincial objectives with regard to inclusion, as laid down in the multi-annual planning of the local or provincial government, in cooperation with local government and with other local actors who work in the care district and are responsible for supervision of people with a disability or for policy in this regard;</p> <p>5) raising awareness of childcare organisers and partners in the care district regarding implementation of inclusive childcare;</p> <p>6) providing information for and facilitating the involvement of families and interested parties in the tasks set out in points (1) to (4);</p> <p>7) appropriate use of staff for carrying out the tasks set out in points (1) to (6).</p> <p>The childcare facilities indicated in point (3) of the first paragraph shall be located within the care district of the organiser and shall be the facilities of other organisers. For an organiser of home-based care, his or her own child-carers cannot be included in the number of childcare facilities to be supervised.</p> <p>Article 50/3. Organisers shall fulfil the conditions laid down in Article 50.</p> <p>Article 50/4. Within the care district in which they are authorised as a Centre for inclusive childcare, organisers shall each year:</p> <p>1) provide care for at least seven children with specific care needs;</p> <p>2) provide at least 750 childcare services for children with specific care needs.</p> <p>Organisers shall receive a subsidy for individual inclusive childcare for the children referred to in point (1).</p> <p>Article 50/5. Organisers shall play an active part in the advisory programmes for development of the Centres for inclusive childcare which Child and Family organises in cooperation with the Flemish Agency for People with Disabilities.'</p>
<p>Explanation of the (typical) forms of entrustment. If standardised templates for entrustments are used for a certain sector, please attach them.</p>	<p>Entrustment takes place on the basis of a government decree, for childcare on the basis of the Subsidies Decree of 22 November 2013; and an individual entrustment follows on the basis of that government decree. A decision memorandum (a global memorandum with a decision on all applications) is drawn up, and this is signed by the general administrator of the independent government agency Child and Family.</p> <p>This individual entrustment happens after a budget allocation exercise. The programming rules and specification regarding calls for tenders are laid down in the Procedural Decree (Flemish Government decree).</p>

Explanation of the (typical) duration of the entrustment and the range of durations of the entrustments. Please also specify the proportion of entrustments that are longer than 10 years.	The subsidy is allocated for 10 years.
Explanation whether (typically) exclusive or special rights are assigned to the undertakings.	There are no special rights.
Explanation of the (typical) compensation mechanism as regards the respective services, including the aid instrument (direct subsidy, guarantee, etc.) used and whether a methodology based on cost allocation or the net avoided cost methodology is used	<p>The subsidies (basic subsidy, subsidy for income-related charges and enhanced subsidy) are composed of an incremental system. This means that a multi-tiered system is used both for the subsidy conditions and for the subsidy amount.</p> <p>For example, for the enhanced subsidy:</p> <ul style="list-style-type: none"> - organisers must fulfil the conditions for specific services linked to the basic subsidy + the subsidy for income-related charges + the enhanced subsidy, - the subsidy amount is made up of the subsidy amount of the basic subsidy + the subsidy for income-related charges + the enhanced subsidy, <p>Therefore, the more services provided, the bigger the subsidy given, since the subsidy increases as more costs are incurred for carrying out the specific services. The subsidy given is no more than is necessary to enable the special services to be carried out.</p> <p>Incremental system: Article 7 of the Subsidies Decree</p> <p>‘Article 7. The basic subsidy, the subsidy for income-related charges and the enhanced subsidy shall be assigned according to the following incremental system:</p> <ol style="list-style-type: none"> 1) an eligible childcare place from a higher tier can be assigned only if that place is also an eligible childcare place at a lower tier, more specifically: <ol style="list-style-type: none"> a) the enhanced subsidy laid down in Title 4 can be assigned only if the organiser has been assigned the subsidy for income-related charges laid down in Title 3; b) the subsidy for income-related charges laid down in Title 3 can be assigned only if the organiser has been allocated the basic subsidy laid down in Title 2; 2) the number of eligible childcare places at a higher tier shall never be

	<p>higher than the number of eligible childcare places at a lower tier, more specifically:</p> <p>a) the number of childcare places for which the organiser receives the subsidy for income-related charges laid down in Title 3 can never be higher than the number of childcare places for which the organiser receives the basic subsidy laid down in Title 2;</p> <p>b) the number of childcare places for which the organiser receives the enhanced subsidy laid down in Title 4 can never be higher than the number of childcare places for which the organiser receives the subsidy for income-related charges laid down in Title 3.'</p> <p>In addition to the incremental system, there are two forms of subsidy (subsidy for flexible opening times and subsidy for inclusive childcare) which are more modular.</p> <p>Assignment of 'modular' subsidy: Article 7/1 of the Subsidies Decree</p> <p>'Article 7/1. The subsidies for inclusive childcare shall be assigned in the following way:</p> <ol style="list-style-type: none"> 1) the subsidy for individual inclusive childcare can be assigned if the organiser has a licence; 2) the subsidy for structured inclusive childcare or the subsidy for a Centre for inclusive childcare can be assigned if the organiser has been assigned at least a subsidy for income-related charges; 3) the subsidy for individual inclusive childcare may be combined with a subsidy for structured inclusive childcare or with a subsidy for a Centre for inclusive childcare; 4) the subsidy for structured inclusive childcare cannot be combined with the subsidy for a Centre for inclusive childcare within the same care district; 5) the number of eligible childcare places with a subsidy for structured inclusive childcare shall never exceed the number of eligible childcare places based on the incremental system. <p>The subsidies for childcare with flexible opening times shall be assigned in the following way:</p> <ol style="list-style-type: none"> 1) the subsidy for flexible group-based care can be assigned if the organiser has a basic subsidy. The number of eligible childcare places with a subsidy for flexible group-based care may never exceed the number of eligible childcare places with a basic subsidy; 2) the subsidy for flexible home-based care and the subsidy for flexible hourly packages of group-based care can be assigned if the organiser
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	uses them at a childcare facility which has a subsidy for income-related charges.'
Explanation of the (typical) arrangements for avoiding and repaying any overcompensation.	<p>Articles 4 and 5 of the Subsidies Decree</p> <p>'Article 4. Each year organisers shall draw up a budget with a summary of the foreseeable income and the projected expenditure for the relevant specific services indicated in this Decree.</p> <p>Organisers shall use an accounting system which separates income and expenditure relating to childcare activities in a transparent way for the purposes of allocating costs and incomes.</p> <p>Article 5 Organisers may build up reserves with the subsidies indicated in this Decree, in the following way:</p> <p>1) the reserves shall be used for the purpose of carrying out the specific services indicated in this Decree;</p> <p>2) a maximum of 20 % of the annual subsidy amounts indicated in this Decree may be carried forward as a reserve to the following calendar year;</p> <p>3) the accumulated reserve, built up from the annual subsidy amounts, indicated in point (2), shall not exceed 50 % of the annual subsidy amounts indicated in point (2);</p> <p>4) if the maximum indicated in points (2) and (3) is exceeded, the excess amount shall be repaid to Child and Family, unless the organiser has a plan of use or a payment plan which meets a number of criteria, including approval by the Finance Inspectorate of the Flemish Government.</p> <p>The Minister shall lay down the detailed rules, including the criteria which the plan of use or payment plan must meet.'</p>
Amount of aid granted	
Total amount of aid granted <u>This includes all aid paid in your territory, including aid paid by regional and local authorities</u>	<p>The Flemish Government, more specifically for childcare the independent government agency Child and Family, has no insight into the amounts of aid paid by regional and local authorities.</p> <p>Total amount of aid granted by the Flemish Government for childcare:</p> <ul style="list-style-type: none"> – for 2012: EUR 340 603 000 – for 2013: EUR 355 639 000 <p>The amounts are determined on the basis of the costs incurred by the organiser for providing the specific services.</p>

	<p>‘Article 11. The basic subsidy for home-based care is EUR 267.30 per subsidised childcare place per calendar year.</p> <p>Article 12. The basic subsidy for group-based care is EUR 578.37 per subsidised childcare place per calendar year.</p> <p>Article 13. The amount indicated in Articles 11 and 12 shall be reduced proportionally:</p> <p>1) for a subsidised childcare place which is not assigned for a full calendar year;</p> <p>2) if, in the calendar year, the number of children cared for in the childcare facilities within the subsidised group which are operating in accordance with the specific services for the basic subsidy is lower than the number of subsidised childcare places.</p> <p>The Minister shall lay down the detailed rules for calculation of this proportion.’</p> <p>‘Article 17. The subsidy for income-related charges for home-based care shall be made up of:</p> <p>1) a part based on childcare services;</p> <p>2) a part based on the age of the persons in charge and of the employees who are responsible at the childcare facility for providing systematic support for the person in charge and who fulfil the conditions regarding knowledge of Dutch and the qualifications which the person in charge must satisfy.</p> <p>The part based on childcare services, indicated in point (1) of the first paragraph shall be calculated as follows:</p> <p>1) the subsidy shall be EUR 21.46 for a childcare service lasting between five and eleven hours and 60 % of that amount for a childcare service lasting for less than five hours;</p> <p>2) all childcare services, with the exception of childcare services during the night and childcare services for children who form part of the home environment of the home-based child-carer and for whom the child-carer is responsible, at each home-based childcare facility of the subsidised group which fulfils the conditions set out in Articles 20 to 36 shall be included;</p> <p>3) the number of childcare services being subsidised shall not exceed 120 % of the number of subsidised childcare places multiplied by the minimum number of compulsory opening days indicated in Article 14. To calculate that percentage, 100 % of childcare services lasting between five and eleven hours and 60 % of childcare services lasting for less than five hours shall be included.</p>
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	<p>The part based on the age of the persons indicated in point (2) of the first paragraph shall be calculated as follows:</p> <ol style="list-style-type: none"> 1) the subsidy shall be EUR 431.42 per subsidised childcare place per calendar year if the average age of those persons is twenty; 2) for each year above the average age of twenty, the subsidy shall be increased by EUR 7.42 per subsidised childcare place, up to a maximum average age of sixty; 3) the average age shall be calculated on the basis of all ages and the work arrangements of those persons. <p>The Minister shall lay down the detailed rules, including how the persons in charge and the employees indicated in point (2) of the first paragraph shall be included in the calculation of the average age and how their work arrangements shall be taken into account.</p> <p>Article 18. The subsidy for income-related charges for group-based care shall be made up of:</p> <ol style="list-style-type: none"> 1) a part based on childcare services; 2) a part based on the age of the child-carers, the persons in charge and the employees who are responsible at the childcare facility for providing systematic support for the person in charge and who fulfil the conditions regarding knowledge of Dutch and the qualifications which the person in charge must satisfy. <p>The part based on childcare services, indicated in point (1) of the first paragraph shall be calculated as follows:</p> <ol style="list-style-type: none"> 1) the subsidy shall be EUR 23.37 for a childcare service lasting between five and eleven hours and 60 % of that amount for a childcare service lasting for less than five hours; 2) all childcare services, with the exception of childcare services during the night, at each group-based childcare facility of the subsidised group which fulfils the conditions set out in Articles 20 to 36 shall be included; 3) the number of childcare services being subsidised shall not exceed 120 % of the number of subsidised childcare places multiplied by the minimum number of compulsory opening days indicated in Article 14. To calculate that percentage, 100 % of childcare services lasting between five and eleven hours and 60 % of childcare services lasting for less than five hours shall be included. <p>The part based on the age of the persons indicated in point (2) of the first paragraph shall be calculated as follows:</p>
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	<p>1) the subsidy shall be EUR 5 529.66 per subsidised childcare place per calendar year if the average age of those persons is twenty;</p> <p>2) for each year above the average age of twenty, the subsidy shall be increased by EUR 96.76 per subsidised childcare place, up to a maximum average age of sixty;</p> <p>3) the average age shall be calculated on the basis of all ages and the work arrangements of those persons.</p> <p>The Minister shall lay down the detailed rules, including how the persons in charge, the child-carers and the employees indicated in point (2) of the first paragraph shall be included in the calculation of the average age and how their work arrangements shall be taken into account.</p> <p>Article 19. The amount of the subsidy indicated in Articles 17 and 18 shall be offset against the income-related charges indicated in Article 28, in proportion to the number of childcare places with a subsidy for income-related charges, as set out in Articles 17 and 18.</p> <p>Offsetting is not possible against:</p> <p>1) any additional charge as indicated in Article 31;</p> <p>2) the income-related charge paid for days of absence which are not justified.</p> <p>The Minister shall lay down the detailed rules for offsetting.'</p> <p>'Article 37. The enhanced subsidy for home-based care and group-based care shall be EUR 647.50 per subsidised childcare place per calendar year.'</p> <p>'Article 40/1. The subsidy for flexible home-based care shall be:</p> <p>1) per childcare service at flexible opening times with a maximum of one subsidy per child per day: EUR 2.87;</p> <p>2) per subsidised childcare place with a subsidy for income-related charges per calendar year: EUR 10.75.</p> <p>In addition, the subsidy indicated in Article 17(2)(1), shall be 160 % of that amount for a childcare service which lasts longer than eleven hours or for a childcare service at night. Notwithstanding Article 17(2)(2), all childcare services shall be counted, including childcare services during the night.</p> <p>If, within the limits of the appropriations established for that purpose in</p>
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	<p>the budget, some budget still remains after payment of the subsidy for flexible home-based care per childcare service, as indicated in point (1) of the first paragraph, and after payment of the subsidy for flexible home-based care per subsidised childcare place, as indicated in point (2) of the first paragraph, this remaining budget shall be apportioned as follows:</p> <p>1) the amount per childcare service, indicated in the point (1) of the first paragraph shall be increased by a maximum of EUR 0.50;</p> <p>2) if there is still budget remaining after payment of the sum indicated in point (1), the amount per subsidised childcare place shall be increased by a maximum of EUR 2.00;</p> <p>3) if there is still budget remaining after payment of the sums indicated in points (1) and (2), the amount per childcare service shall be increased further by what is possible based on the remaining budget.'</p> <p>'Article 40/5. The subsidy for flexible group-based care shall be EUR 113.64 per subsidised childcare place per calendar year.'</p> <p>'Article 40/7. The subsidy for flexible hourly packages of group-based care shall be EUR 2 660.41 per hourly package.'</p> <p>'Article 41. The subsidy for individual inclusive childcare for home-based and group-based care shall be EUR 9.54 per childcare service provided for a child with a specific care need.'</p> <p>'Article 45. The subsidy for structured inclusive childcare for home-based and group-based care shall be EUR 2 891.49 per subsidised childcare place per calendar year.</p> <p>For each subsidised group, a maximum of one third of the number of licensed childcare places shall be eligible for the subsidy.</p> <p>Article 46. The amount indicated in Article 45 shall be reduced proportionally if the eligible childcare place is not allocated for a full calendar year.</p> <p>The Minister shall lay down the detailed rules for calculation of this proportion.'</p> <p>'Article 50/1. The subsidy for a Centre for inclusive childcare shall be EUR 32 845 per calendar year and shall be reduced proportionally if the Centre for inclusive childcare does not operate for a full calendar year.'</p>
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Other quantitative information	/
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Difficulties with the application of the SGEI Decision or the SGEI Framework

Please be as specific as possible and include, if applicable, the sector for which the difficulties are relevant.

The difficulty is that the subsidy is given for a period of ten years, but, in practice, even after that ten-year period it is still necessary for organisers to be able to benefit from the subsidy in order to be able to ensure the provision of specific services for childcare and, therefore, continuity.

Clear and comprehensive description of how the respective services are organised in your Member State	2) SERVICE FLATS
<p>Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list the contents of the services entrusted as SGEI as clearly as possible.</p>	<p>General description of the service flats and sheltered housing complexes:</p> <p>These are independent housing units for elderly people with communal facilities for optional services.</p> <p>Subsidies for construction of additional service flats with the closed-end investment company (CEIC) formula</p> <p>Contribution towards the final buildings fee under a property leasing contract in respect of private and public service flats/CEIC</p> <p>The blocks of service flats and sheltered housing complexes are provided with a view to integrating elderly people into society, as well as from the perspective of maintaining optimal independence and the idea of an adapted form of living which also provides protection.</p> <p>As regards the services offered, the Decree states that ‘the services must be brought within the reach of residents who may make use of them as desired, whenever this is necessary’. In a block of service flats, the emphasis is put on independent living. The services (maintenance, meals, ...) are extra, additional, with no objective other than to be a means of supporting the independence of the residents.</p> <p>The Flemish Government chose to subsidise the building of service flats on the basis of the finding that, because the population is ageing, there is an enduring need for adapted housing options for elderly people, with service flats – as part of a differentiated range of facilities for the elderly – increasing in importance as a suitable housing alternative for elderly people. At the same time, it was established in 1994 that the number of completed housing units was falling far short of programming and, as a result, the available capacity was well below actual needs. It was decided, therefore, to stimulate this via a new</p>

	<p>funding system, under which investment subsidies from the Flemish Government are supplemented with the contribution of private capital.</p> <p>The service flats are built on the basis of building rights which the promoter (OCMW [public centre for social welfare] or vzw [not-for-profit association]) wishes to grant to the CEIC (closed-end investment company) NV Serviceflats Invest subject to certain conditions, so that Serviceflats Invest gets full ownership of the service flats ('the buildings contract'). The promoter undertakes to use the service flats, once built, as long-term leaseholder and to repay Serviceflats Invest the costs and financial expenses of construction in return for a minimum payment ('the ground rent') on the basis of a long-term lease agreement ('the lease').</p> <p>Description of the public service obligations with which the service flats and sheltered housing complexes must comply:</p> <p>Services are subject to an obligation to have a licence (Flemish Government Decree 17 March 1998) and accreditation (Flemish Government Decree 10 July 1985):</p> <p>The flats must comply with pre-determined quality requirements, which are both architectural and structural, floor area standards, materials used and cost price. They must be functional and comfortable and adapted to the needs of elderly people. The flats and the entire building are designed in such a way as to take account of the potential problems which elderly people may encounter when moving around. The flats are adapted in such a way that the elderly people can remain responsible for maintaining the flat, for personal care and for preparing their meals for as long as possible.</p> <p>These requirements form part of the accreditation standards described in Annex A to the Flemish Government Decree of 17 July 1985 laying down the standards which blocks of service flats and sheltered housing complexes must meet in order to be eligible for accreditation.</p> <p>As regards the services offered, the Decree states that 'the services must be brought within the reach of residents who may make use of them as desired, whenever this is necessary' (Decree on facilities for elderly people, coordinated in the Flemish Government Decree of 18 December 1991). In a block of service flats the emphasis is put on independent living. The services (maintenance, meals, ...) are extra, additional, with no objective other than to be a means of supporting the independence of the residents.</p> <p>Specific requirements:</p> <ul style="list-style-type: none"> - Quality: the quality requirements are laid down in the Ministerial Decree of 10 December 2001 on quality control in rest homes, day-
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	<p>care centres, short-stay centres, service flats and sheltered housing complexes in rest homes. The other accreditation standards are laid down in Annex A to the Flemish Government Decree of 10 July 1985 laying down the judicial procedure for accreditation and closure of blocks of service flats and sheltered housing complexes.</p> <ul style="list-style-type: none"> - Affordability: day rate is free (subject to approval by FPS Finance). The composition of this is laid down in Article 1.8 of the Annex to the Flemish Government Decree of 10 July 1985 laying down the judicial procedure for accreditation and closure of blocks of service flats and sheltered housing complexes, with further details in point 3.3 of the Annex to Circular SFG/1/96 of 10 September 1996 providing clarification on the operation of blocks of service flats and sheltered housing complexes. - Accessibility: in order to be able to obtain a licence, it is necessary inter alia to be able to demonstrate the accessibility of the facility (Article 20 of the Ministerial Decree of 7 June 1999 laying down assessment criteria as specified in Article 5 of the Flemish Government Decree of 17 March 1998 establishing the programme for blocks of service flats and sheltered housing complexes). - Continuity of services: accreditation standard 4.2 states that ‘a member of staff, who can respond to any call by an elderly person without delay, must always be present in the facility itself or in the immediate vicinity during the day and the night.’
<p>Explanation of the (typical) forms of entrustment. If standardised templates for entrustments are used for a certain sector, please attach them.</p>	<ul style="list-style-type: none"> • Decrees relating to facilities for elderly people, coordinated in the Flemish Government Decree of 18 December 1991 (Belgian Official Gazette (B.S.) 20.VIII.1992) • Residential Care Decree of 13 March 2009 (B.S. 14.V.2009) • Flemish Government Decree of 10 July 1985 laying down the judicial procedure for accreditation and closure of blocks of service flats, sheltered housing complexes, rest homes (B.S. 30.VIII.1985) • Flemish Government Decree of 5 June 2009 laying down the rules for granting prior authorisation for some residential care facilities (B.S. 4.IX.2009) • Ministerial Decree of 7 June 1999 laying down assessment criteria as specified in Article 5 of the Flemish Government Decree of 17 March 1998 establishing the programme for blocks of service flats, sheltered housing complexes, rest homes and day-care centres (B.S. 29.IX.1999) • Flemish Government Decree of 17 July 1985 laying down the standards which blocks of service flats, sheltered housing complexes or rest homes must meet in order to be eligible for accreditation (B.S. 30.VIII.1985)

	<ul style="list-style-type: none"> • Circular SFG/1/96 of 19 September 1996 providing clarification on the operation of blocks of service flats and sheltered housing complexes • Ministerial Decree of 10 December 2001 on quality control in rest homes, day-care centres, short-stay centres, service flats and sheltered housing complexes in rest homes (B.S. 28.III.2002) • Flemish Government Decree of 30 November 2001 awarding a subsidy to Public Centres for Social Welfare and not-for-profit associations as a contribution to the fee for acquiring ownership of the blocks of service flats constructed on their land under a property leasing contract with the CEIC (B.S. 21.XII.2001) • Flemish Government Decree of 16 May 2008 amending the Flemish Government Decree of 30 November 2001 awarding a subsidy to public centres for social welfare and not-for-profit associations as a contribution to the fee for acquiring ownership of the blocks of service flats constructed on their land under a property leasing contract with the CEIC (B.S. 27.VIII.2008) <p>The award of the subsidy to the promoters is subject to the conditions in Article 12 of the General Agreement between the Flemish Community and the CEIC Serviceflats Invest nv (B.S. 17 January 1996).</p> <p>The requirements for eligibility for subsidies are laid down in Articles 3, 4 and 5 of the Flemish Government Decree of 30 November 2001 awarding a subsidy to Public Centres for Social Welfare and not-for-profit associations as a contribution to the fee for acquiring ownership of the blocks of service flats constructed on their land under a property leasing contract with the CEIC.</p> <ul style="list-style-type: none"> ○ Article 3: The subsidy shall be granted with effect from the year following the year in which the service flats in question receive accreditation in accordance with the Decrees on facilities for elderly people, coordinated on 18 December 1991. It shall be paid to the promoter in the first quarter of the year to which it relates. The payment shall be made via the custodian of the CEIC. The subsidy shall be made only for as long as the service flats in question are accredited in accordance with the decrees indicated in the first paragraph. ○ Article 4: The subsidy is a contribution to the fee which the promoter has to pay the CEIC at the end of the property leasing contract in order to acquire ownership of the service flats. Each year that it receives the subsidy, the promoter shall pay an amount that is at least equal to that subsidy into an account as security for the obligation to pay the fee referred to in the first paragraph, as laid down in the property leasing contract which it concluded with the CEIC. The amounts paid annually shall be invested continuously and
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	<p>shall be used to pay the fee referred to in the first paragraph.</p> <p>○ Article 5:</p> <p>1. Each year before 31 January, the promoter shall provide the authorities with proof of the payment which it has made in accordance with the second sentence of Article 4 during the preceding year, by means of an extract from the account in question.</p> <p>2. The promoter shall pay the fee referred to in the first sentence of Article 4 to the CEIC, as stipulated in the property leasing contract concluded between them. Not later than one month after that payment, it shall provide the authorities with proof thereof by means of a receipt supplied by the CEIC.</p> <p>3. The authorities may at any time ask a promoter for documents which relate to the subsidy.</p> <p>The subsidy shall be paid only for as long as the service flats in question are accredited (Flemish Government Decree of 30 November 2001 awarding a subsidy to Public Centres for Social Welfare and not-for-profit associations as a contribution to the fee for acquiring ownership of the blocks of service flats constructed on their land under a property leasing contract with the CEIC). In order to be accredited, the accreditation standards set out in Annex A to the Flemish Government Decree of 17 July 1985 laying down the standards which blocks of service flats, sheltered housing complexes or rest homes must meet in order to be eligible for accreditation must be met.</p>
Explanation of the (typical) forms of entrustment . If standardised templates for entrustments are used for a certain sector, please attach them.	The annual subsidy for each block of service flats or sheltered housing complex is paid for 18 years.
Explanation whether (typically) exclusive or special rights are assigned to the undertakings	None
Explanation of the (typical) compensation mechanism as regards the respective services, including the aid instrument (direct subsidy, guarantee, etc.) used and whether a methodology based on cost allocation or the net avoided cost methodology is used.	<p>The compensation was determined on the basis of the investment cost for construction of a service flat.</p> <p>Initially the subsidy was EUR 961.83 per year per flat for 18 years (Flemish Government Decree 30 November 2001). When this amount was set in 1995, it was calculated on the basis of the option that the subsidy, paid over 18 years and financed over 27 years, was supposed to constitute a sum equal to the nominal investment costs of a service flat (estimated at that time to be about BEF 2.4 million). This cost price was calculated on the basis of the data relating to the construction costs of the flats built as part of the emergency programme for social housing. This calculation included:</p>

	<p>Net construction cost for service flat with 50 m² net floor area + 15 % communal areas</p> <p>Additional expenditure for adapted furniture or additional m² (to allow for the use of standard furniture)</p> <p>Other fixed costs (12 % VAT, 6 % study costs, 2 % for other costs such as soil investigation, technical inspection and decennial insurance).</p> <p>On 16 May 2008 the Flemish Government amended its Decree awarding a subsidy to public centres for social welfare and not-for-profit associations as a contribution to the acquisition of blocks of service flats built on their land under a property leasing contract with the CEIC. The subsidy to the promoters was increased from EUR 961.83 to EUR 1 140.43 per flat per year for 18 years, for promoters who, from 1 January 2007, conclude a property leasing contract drawn up by lawyer for the construction of service flats with the CEIC. The reasoning behind the increase in the total subsidy sum received by promoters is the rise in construction costs recorded since the start-up phase. Initially, the proposal was to extend the duration of the subsidies to 24 years. In order to achieve the same result while retaining the subsidy period of 18 years, it was necessary to increase the amount of subsidy paid annually. In view of the fact that the financing of 24 annual subsidy amounts (EUR 961.83 per year) at 4.77 % interest results in capital of EUR 50 043 after 30 years, the same amount can be achieved by paying 18 annual subsidy amounts of EUR 961.83 x 1.1857 = EUR 1 140.43 per year.</p>
<p>Explanation of the (typical) arrangements for avoiding and repaying any overcompensation.</p>	<p>In principle, no overcompensation is possible as the average investment cost per flat today is about EUR 99 550 and the total subsidy granted per flat is a maximum of EUR 20 527.47 (1140.43 x 18 years).</p> <p>The subsidy is paid only for as long as the service flats for which the subsidy is granted are accredited.</p> <p>For each payment (annual, for 18 years) a check is made to see whether the block of flats is still accredited, i.e. meets the accreditation standards as described in <u>Annex A to the Flemish Government Decree of 17 July 1985</u> laying down the standards which blocks of service flats, sheltered housing complexes or rest homes must meet in order to be eligible for accreditation.</p> <p>The subsidy is paid only for as long as the service flats in question are accredited. If a block of service flats which was built with a CEIC no longer meets the accreditation standards and, as a result, is closed, the subsidy is no longer paid (<u>Flemish Government Decree of 30 November 2001</u> awarding a subsidy to public centres for social welfare and not-for-profit associations as a contribution to the fee for acquiring ownership of the blocks of service flats constructed on their</p>

	<p>land under a property leasing contract with the CEIC).</p> <p>During inspection visits to the facility, a check is carried out to see whether the accreditation standards are still met.</p> <p>The promoter submits a statement of account each year, showing that the annual subsidy is paid and invested in accordance with Article 4(2) of the <u>Flemish Government Decree of 30 November 2001</u> awarding a subsidy to public centres for social welfare and not-for-profit associations as a contribution to the fee for acquiring ownership of the blocks of service flats constructed on their land under a property leasing contract with the CEIC.</p> <p>There is no specific arrangement for repaying subsidies already paid.</p> <p>Each year, before each payment, the agency itself verifies whether the block of service flats is still accredited or whether an investment certificate has been submitted.</p> <p>Recovery has not taken place in a single dossier.</p>
Amount of aid granted	
Total amount of aid granted <u>This includes all aid paid in your territory, including aid paid by regional and local authorities</u>	<u>Subsidy from VAZG (Flemish Agency for Care and Health) 2012:</u> Public CEIC: EUR 1 220 104.77 Private CEIC: EUR 102 819.09 <u>Subsidy from VAZG 2013:</u> Public CEIC: EUR 1 434 505.61 Private CEIC: EUR 102 819.09
Other quantitative information	

Work and Social Economy Policy Area

The report below is submitted in accordance with Article 9 of the SGEI Decision of 20 December 2011 on behalf of the Flemish policy area Work and Social Economy (WSE). There are currently three measures in operation which are based on the SGEI Decision and a further two are being prepared. The following measures are already in operation: career guidance, Social Economy support body and the provision of vocational entrepreneurship training courses entrusted by Syntra Vlaanderen.

As a separate report for these services would be disproportionate with regard to other services, it has been decided to give a brief general description of these measures within the WSE policy area, including their general features.

1. Description of the application of the SGEI Decision and the SGEI Framework and amount granted

The current operational WSE measures come within the scope of point (5) Other SGEI compensation not exceeding EUR 15 million (Article 2(1)(a)).

The Flemish Government has decided that each of these measures is a service which benefits society and that these services are offered in a principled and high-quality manner.

The parties providing these services are given a period of entrustment by the Flemish Government if they meet the established conditions. These conditions are proportionate and non-discriminatory and relate to the requirements regarding quality and implementation of the service. In a number of cases, the entrusted service-providers may also be chosen on the basis of a public procurement procedure.

The entrustment period varies from four to six years depending on the measure.

The compensation mechanism also varies between the different measures. The price may be determined on the basis of the public procurement procedure combined with predetermined target prices or may be a fixed amount which is set in advance on the basis of objective parameters. Control points have been incorporated for all measures in order to verify whether the price and the parameters are still in line and whether any adjustments have to be made for the subsequent period. In addition, there is also provision for a check on implementation and, if abuses are found, the compensation amounts will be recovered.

The total amount of the aid granted varies greatly according to the measure: about EUR 4 million has been provided for the support body for a period of 4 years. There is an annual budget of EUR 12 million for career guidance, while a sum of EUR 500 000/year is assumed for the vocational entrepreneurship training courses.

2. Difficulties with the application of the SGEI Decision or SGEI Framework

In general, the basic principles regarding compensation, calculation of costs and reasonable profit have been written from the perspective of an economic logic, which is applicable mainly to large-scale economic services, concerning network industries or comparable sectors. Applying this to social services within the framework of Work and Social Economy is difficult, and it is certainly not applicable in all respects.

Working with concepts such as reasonable profit, rate of return on capital or other profit level indicators and swap rates are suited to a business context, but cannot just be fitted into a social service where making a profit is not a core task but forms part of a whole to ensure that the service continues to be provided.

Where charges are determined for the provision of a service, this is often based on anticipated costs, but with no account being taken of a reasonable percentage profit.

3. Complaints by third parties

None

4. Miscellaneous

None