***Part III.2***

Supplementary information sheet for research and development and innovation aid

*This supplementary information sheet must be used for the notification of any aid measures (aid schemes and individual aid) covered by the Framework for state aid for research and development and innovation (“the R&D&I Framework”)[[1]](#footnote-1).*

*In case there are several beneficiaries involved in an individual aid measure, the relevant information must be provided for each of them.*

*All documents provided by Member States as annexes to this supplementary information sheet must be numbered and document numbers must be indicated in the relevant sections of this supplementary information sheet. Please indicate clearly (paragraphs, pages, in a visual manner) where the relevant information can be found in these annexes.*

# Characteristics of the notified aid measure

## Aid schemes

1. Reasons for notifying the scheme:

* the scheme includes aid that is not transparent in the sense of Article 5 of the General Block Exemption Regulation (“GBER”)[[2]](#footnote-2);
* other reasons.

Please specify:

1. Please clarify the sectoral scope of the notified scheme.

1. Please confirm that any aid awarded under the notified scheme will be notified individually if it exceeds the applicable thresholds laid down in Article 4 of the GBER.

yes  no

## Individual aid

1. Please identify the aid beneficiary: its full legal name, seat and legal identification number, location, scope of activity, size of the undertaking (small, medium, large). Please provide supporting evidence for this.

1. Where the aid is based on a scheme approved by the Commission or a scheme implemented under the GBER, please provide information concerning that scheme, including its publication reference (web link) and state aid registration number.

1. If applicable, please provide the exchange rate, indicate source and date, which has been used for the purposes of the notification.

## General information

1. Please identify the type of aid measure and in order to demonstrate compliance with point 13 of the R&D&I Framework, please specify how it fulfils the applicable conditions:

* aid for R&D projects (point 13(a))

* aid for feasibility studies (point 13(b))

* aid for the construction and upgrade of research infrastructures (point 13(c))

* aid for the construction and upgrade of testing and experimentation infrastructures (point 13(d))

* aid for innovation activities for SMEs (point 13(e))

* aid for process and organisational innovation (point 13(f))

* aid for innovation clusters (point 13(g))

1. Does the notified measure involve Union funding centrally managed by the institutions, agencies, joint undertakings or other bodies of the Union that is not directly or indirectly under the control of Member States (that does not constitute State aid)?

yes  no

If so, please specify the funding source and the amount:

1. Does the notified measure involve undertakings in difficulty, as defined by the Guidelines on State aid for rescuing and restructuring non-financial undertakings in difficulty[[3]](#footnote-3) (please see point 11 of the R&D&I Framework)?

yes  no

If so, please specify:

1. Does the notified measure involve undertakings that are subject to an outstanding recovery order following a previous decision declaring aid illegal and incompatible with the internal market (please see point 12 of the R&D&I Framework)?

yes  no

If so, please specify and indicate the amounts still to be recovered:

1. Does the notified measure involve research and knowledge dissemination organisations ("research organisations") or research infrastructures, as defined in points 16(ff) and (gg) of the R&D&I Framework?

yes  no

If so, please specify:

1. Does the notified measure involve testing and experimentation infrastructures, as defined in point 16(ll) of the R&D&I Framework?

yes  no

If so, please specify:

………………………………………………………………………………………….

1. Does the notified measure involve innovation clusters, as defined in point 16(t) of the R&D&I Framework?

yes  no

If so, please specify:

1. Does the notified measure involve public procurement of research and development services?

yes  no

If so, please specify:

1. Can the State aid awarded under the notified measure be cumulated with other State aid?

yes  no

If so, please specify:

1. If applicable for the measure concerned, please tick the relevant box below to confirm that the beneficiaries comply with the SME definition as laid down in the Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises[[4]](#footnote-4) and, for individual aid, please attach to the notification the relevant evidence.

yes  no

# Research and knowledge dissemination organisations and research infrastructures as recipients of State aid

1. Do research organisations or research infrastructures, concerned by the notified aid measure, carry out any economic activity consisting of offering goods or services on a given market?

yes  no

Please provide details on the economic activity in question.

Furthermore, please include information on the annual capacity of the relevant entity (i.e. an entity such as a laboratory or a department with the organisational structure, capital, material and workforce that it effectively has at its disposal to perform alone the activity concerned, at the level of which the assessment needs to be carried out in line with point 21 of the R&D&I Framework), engaged in such economic activity(ies) and the share of this annual capacity engaged in economic activities for the past 5 years.

1. If the same entity carries out activities of both economic and non-economic[[5]](#footnote-5) nature, can these two kinds of activities and their costs, funding and revenues be clearly separated?

yes  no

If so, please specify:

1. If the same entity carries out activities of both economic and non-economic nature, is the amount of public funding allocated to it, during a specific accounting period, limited to the costs of non-economic activities incurred in the same period[[6]](#footnote-6)?

yes  no

If so, please specify:

1. If the same entity carries out activities of both economic and non-economic nature, does the economic use remain purely ancillary, that is to say does it correspond to an activity which is directly related to and necessary for the operation of the research organisation or research infrastructure or intrinsically linked to its main non-economic use, and which is limited in scope?

yes  no

If so, please specify and indicate the proportion of the overall capacity that is used or estimated to be used for such economic activities each year:

1. If public funding is provided for economic activities of research organisations or research infrastructures, can it be shown that both the public funding and any advantages acquired through it are fully passed on to the final recipients, for example, through reduced prices, and that no further advantage is awarded to the research organisation or research infrastructure that is acting only as intermediary?

yes  no

If so, please specify:

# Indirect State aid to undertakings through research organisations and research infrastructures

## Research on behalf of undertakings

1. Do research organisations or research infrastructures, concerned by the notified aid measure, perform contract research or provide research services to undertakings?

yes  no

Please provide more details:

1. If research organisations or research infrastructures perform contract research or provide research services to undertakings, do they provide such services at market price?

yes  no

Please provide more details:

1. If research organisations or research infrastructures perform contract research or provide research services to undertakings and there is no market price, do they provide such services:
   * + 1. at a price which reflects the full costs of the services and generally includes a margin established by reference to those commonly applied by undertakings active in the sector concerned, or

yes  no

* + - 1. is the result of arm’s length[[7]](#footnote-7) negotiations where research organisations or research infrastructures negotiate in order to obtain the maximum economic benefit at the moment when the contract is concluded and cover at least their marginal costs?

yes  no

Please provide more details:

1. If applicable, will the ownership of, or access rights to intellectual property rights ('IPR') remain with the research organisation or research infrastructure?

yes  no

In the affirmative, will their market value be deducted from the price payable for the services concerned?

yes  no

Please provide more details:

…………………………………………………………………………………

## Collaboration with undertakings

1. Do research organisations or research infrastructures, concerned by the notified aid measure, effectively collaborate with undertakings[[8]](#footnote-8) with a view to jointly carrying out specific projects?

yes  no

If so, please specify:

………………………………………………………………………………………….

1. Please confirm whether the terms and conditions of a collaboration project, in particular as regards contributions to its costs, the sharing of risks and results, the dissemination of results, access to and rules for allocation of IPR, are concluded prior to the start of the project (this does not include definite agreements on the market value of resulting IPR and the value of contributions to the project).

yes  no

Please provide further details and submit relevantevidence:

………………………………………………………………………………………….

1. If research organisations or research infrastructures effectively collaborate with undertakings, please indicate whether any of the following conditions are fulfilled:
   * + 1. the participating undertakings bear the full cost of the project(s)

yes  no

* + - 1. the results of the collaboration, which do not give rise to intellectual property rights (IPR), may be widely disseminated and any IPR resulting from the activities of research organisations or research infrastructures are fully allocated to them

yes  no

* + - 1. any IPR resulting from the project, as well as related access rights, are allocated to the different collaboration partners in a manner which adequately reflects their work packages, contributions and respective interests

yes  no

If the answer to any of the above questions is yes, please provide details (and submit relevant evidence).

1. If research organisations or research infrastructures effectively collaborate with undertakings and none of the answers to question (3) are yes, please indicate whether any of the following conditions are fulfilled:
   * + 1. The research organisations or research infrastructures receive compensation for the IPR which result from their activities and are assigned to the participating undertakings, or to which participating undertakings are allocated access rights. The amount of the compensation has been established by means of an open, transparent and non-discriminatory competitive sale procedure.

yes  no

* + - 1. The research organisations or research infrastructures receive compensation, for the IPR which result from their activities and are assigned to the participating undertakings, or to which participating undertakings are allocated access rights. The amount of the compensation is confirmed to be at least equal to the market price by an independent expert valuation.

yes  no

* + - 1. the research organisations or research infrastructures can demonstrate that they effectively negotiated the compensation (for the IPR which result from their activities and are assigned to the participating undertakings, or to which participating undertakings are allocated access rights), at arm's length[[9]](#footnote-9), in order to obtain the maximum economic benefit at the moment when the contract is concluded.

yes  no

* + - 1. where the collaboration agreement provides the collaborating undertakings with a right of first refusal, as regards IPR generated by research organisations or research infrastructures, the latter exercise a reciprocal right to solicit more economically advantageous offers from third parties so that the collaborating undertakings will have to match their offer accordingly.

yes  no

Please provide details and submit relevant evidence:

# Public procurement of research and development services

1. If the notified measure involves public procurement of research and development services from undertakings, are the providers selected by means of an open tender procedure carried out in accordance with the applicable directives[[10]](#footnote-10)?

yes  no

If yes, please specify:

1. For cases where an open tender procedure for public procurement in accordance with the applicable directives has not been carried out, and where the notified measure involves public purchase of research and development services from undertakings, including pre-commercial procurement, please indicate whether the following conditions are fulfilled:
   * + 1. the selection procedure is open, transparent and non-discriminatory, and based on objective selection and award criteria specified in advance of the bidding procedure.

yes  no

If no, please provide details indicating whether a competitive, transparent and non-discriminatory procedure in line with the applicable directives was followed (for instance, competitive procedure with negotiations, innovation partnership, or competitive dialogue).

* + - 1. the envisaged contractual arrangements describing all rights and obligations of the parties, including with regard to IPR, are made available to all interested bidders prior to the bidding procedure.

yes  no

Please provide details:

* + - 1. the procurement does not give any of the participant providers any preferential treatment in the supply of commercial volumes of the final products or services to a public purchaser in the Member State concerned[[11]](#footnote-11), and one of the following conditions is met (please indicate by ticking the relevant box below).
* all results which do not give rise to IPR may be widely disseminated in a way that allows other undertakings to reproduce them, and any IPR are fully allocated to the public purchaser, or

yes  no

* any service provider to which results giving rise to IPR are allocated is required to grant the public purchaser unlimited access to those results free of charge, and to grant access to third parties under market conditions.

yes  no

Please provide details:

# Description of the notified aid measure

## Aid for R&D projects

1. Please indicate which R&D stages are supported under the notified measure:

* fundamental research as defined in point 16(n) of the R&D&I Framework
* industrial research, as defined in point 16(r) of the R&D&I Framework
* experimental development, as defined in point 16 (k) of the R&D&I Framework

1. For individual aid, please provide detailed information about the contents of the R&D project, including about:
   * + 1. the state of the art, as applicable to the sector concerned, relevant for the assessment of the project, and explain how/in what aspects the project will go beyond it

* + - 1. the concrete research activities (in sufficient scientific and technical detail)

* + - 1. the intended outcomes / deliverables /results of the project

* + - 1. clear structure of the project in work packages

* + - 1. the milestones

* + - 1. the duration of the project (start date – end date of the project), including GANTT chart of how the project’s work packages will develop and end

* + - 1. if the project encompasses different research categories, please list and qualify the different tasks as falling under the categories of fundamental research, industrial research or experimental development

* + - 1. any other information you deem essential for demonstrating the research content and the type of research to be performed

1. Please specify the total costs, the total eligible costs and, for individual aid, indicate their amount per type of eligible cost. In case of health related research, please clarify the nature of eligible costs by providing a more detailed breakdown of the eligible costs[[12]](#footnote-12).

Please support your calculations of the R&D eligible costs by the most recently available documentary evidence which shall be clear and specific and annexed to the notification form.

|  |  |  |  |
| --- | --- | --- | --- |
| **Eligible costs for R&D project** | **Eligible cost amount:**  **Fundamental research** | **Eligible cost amount:**  **Industrial research** | **Eligible cost amount:**  **Experimental development** |
| Personnel costs: researchers, technicians and other supporting staff to the extent employed for the project |  |  |  |
| Costs of instruments and equipment (depreciation for the time and to the extent used for the project) |  |  |  |
| Costs of buildings and land (depreciation for the time and to the extent used for the project) |  |  |  |
| Cost of contractual research, knowledge and patents bought or licensed from outside sources at arm's length conditions, as well as costs of consultancy and equivalent services used exclusively for the project |  |  |  |
| Additional overheads incurred directly as a result of the project[[13]](#footnote-13) |  |  |  |
| Other operating expenses |  |  |  |
| Specifically for health relevant/related R&D project, all costs, including for pre-clinical and clinical trials, phase IV trials furthering scientific and technological advance |  |  |  |
| **Total eligible costs** |  |  |  | |

1. Please specify the applicable aid intensities and provide further justification if any increase of the basic aid intensity is applicable.

|  |  |  |  |
| --- | --- | --- | --- |
| **Aid intensity applied:** | **Small enterprise**  **%** | **Medium-sized enterprise**  **%** | **Large enterprise**  **%** |
| Fundamental research |  |  |  |
| Basic aid intensity for industrial research |  |  |  |
| Increase of the basic aid intensity for industrial research:   * subject to effective collaboration between undertakings (for large enterprises cross-border or with at least one SME) or between an undertaking and a research organisation; or * subject to wide dissemination of results, or |  |  |  |
| * subject to the R&D project being carried out in assisted regions fulfilling the conditions of Article 107(3)(c) of the Treaty or * subject to the R&D project being carried out in assisted regions fulfilling the conditions of Article 107(3)(a) of the Treaty |  |  |  |
| Aid intensity applicable to industrial research activities: |  |  |  |
| Basic aid intensity for experimental development |  |  |  |
| Increase of the basic aid intensity for experimental development:   * subject to effective collaboration between undertakings (for large enterprises cross-border or with at least one SME) or between an undertaking and a research organisation; or * subject to wide dissemination of results, or |  |  |  |
| * subject to the R&D project being carried out in assisted regions fulfilling the conditions of Article 107(3)(c) of the Treaty, or * subject to the R&D project being carried out in assisted regions fulfilling the conditions of Article 107(3)(a) of the Treaty |  |  |  |
| Aid intensity applicable to experimental development activities: |  |  |  |

1. Please provide information about the State aid that you intend to grant, including:
   * + 1. The overall nominal State aid amount

* + - 1. What is the State aid instrument (form of aid)

* + - 1. Whether the State aid will be disbursed in one or several instalments

* + - 1. The provisional dates (at least the years) of the disbursement and the amounts of each of these instalments

* + - 1. Your explanation on how you established the State aid amount you intend to award for the project and the instalments’ amounts and schedule

1. Where the notification concerns fiscal measure constituting State aid, please describe:
   * + 1. whether the fiscal measure applies without distinction to all eligible activities, and does not exceed the applicable aid intensity for experimental development

* + - 1. whether the relevant aid intensities will not be exceeded, where a fiscal aid measure distinguishes between different R&D categories

## Aid for feasibility studies

1. Please describe the contents and activities concerned by the feasibility studies (see the definition in point 16 (l) of the R&D&I Framework). Please provide also information on the duration of the feasibility studies (start date and end date), including where applicable a GANTT chart to illustrate how the work packages and the activities (if any) will develop and end.

1. Please specify the eligible costs and, for individual aid, indicate their amount and provide further details on the underlying assumptions for their calculation. Please support your calculations of the R&D eligible costs by the most recently available documentary evidence which shall be clear and specific and annexed to the notification form.

|  |  |
| --- | --- |
| **Eligible costs for feasibility study** | **Eligible costs amount** |
| [please insert a row for each cost item that is included in the eligible costs of the feasibility study] |  |

1. To demonstrate compliance with Annex II and point 81 of the R&D&I Framework, please specify the applicable aid intensities. Please provide justification, if relevant, why any increase of the basic aid intensity is applicable.

|  |  |  |  |
| --- | --- | --- | --- |
| **Applicable aid intensity** | **Small enterprise**  **%** | **Medium-sized enterprise**  **%** | **Large enterprise**  **%** |
| Basic aid intensity for feasibility studies |  |  |  |
| Increase of the basic aid intensity:   * in assisted regions fulfilling the conditions of Article 107(3)(c) of the Treaty, or * in assisted regions fulfilling the conditions of Article 107(3)(a) of the Treaty |  |  |  |
| Applicable aid intensity |  |  |  |

1. Please provide information about the State aid that you intend to grant, including:
   * + 1. the overall nominal State aid amount

* + - 1. what is the State aid instrument (form of aid)

* + - 1. whether the State aid will be disbursed in one or several instalments

* + - 1. the provisional dates (at least the years) of the disbursement and the amounts of each of these instalments

* + - 1. your explanation on how you established the State aid amount you intend to award for the feasibility study and the instalment schedule

## Aid for the construction and upgrade of research infrastructures

1. Please specify whether the measure targets the construction of a new research infrastructure or upgrade of an existing research infrastructure.

1. Please provide a full description of the research infrastructure (see the definition in point 16 (gg) of the R&D&I Framework), including its location, its functionalities, facilities and equipment, areas of research and services, intended users, etc. Please also provide the duration of the project (start and end date of the construction or upgrade activities), including a GANTT chart to illustrate how and when the aided investment related activities will develop and end, as well as the date when the infrastructure will be put in operation and its envisaged lifetime.

1. Please specify if the research infrastructure will carry out any economic activity consisting of offering goods or services on a given market? Please provide details of these activities, including on the relevant entity (i.e. an entity such as a laboratory or a department with the organisational structure, capital, material and workforce that it effectively has at its disposal to perform alone the activity concerned, at the level of which the assessment needs to be carried out), the annual capacity of the relevant entity and the annual share of this capacity to be engaged in such economic activity(ies) for the envisaged lifetime of the research infrastructure.

1. Please specify the eligible costs and, for individual aid, indicate their amount and provide further details on the underlying assumptions for their calculation. Please support your calculations by the most recently available documentary evidence which shall be clear and specific and annexed to the notification form.

| **Eligible costs** | **Eligible costs amount** |
| --- | --- |
| investment costs for construction and upgrade of research infrastructures |  |
| [please include a row for each cost that you deem to fall into the overall category of investment costs in tangible and intangible assets] |  |
| **Total eligible costs** |  |

1. Please specify the applicable aid intensity and provide further justification if relevant why an increase of the basic aid intensity is applicable.

|  |  |
| --- | --- |
| **Applicable aid intensity** | % |
| Basic aid intensity for investment aid for the construction and upgrade of research infrastructures |  |
| Increase of the aid intensity:   * subject to at least two Member States providing the public funding, or * for research infrastructures evaluated and selected at EU level |  |
| Applicable aid intensity |  |

1. Please provide information about the State aid that you intend to grant, including:
   * + 1. The overall nominal State aid amount

* + - 1. What is the State aid instrument (form of aid)

* + - 1. Whether the State aid will be disbursed in one or several instalments

* + - 1. The provisional dates (at least the years) of the disbursement and the amounts of each of these instalments

* + - 1. Your explanation on how you established the State aid amount you intend to award for the research infrastructure and the instalment schedule

1. If the research infrastructures pursue both economic and non-economic activities, please tick the box below to confirm that the financing, costs and revenues of each type of activity are accounted for separately on the basis of consistently applied and objectively justifiable cost accounting principles.

yes  no

For individual aid, please provide the relevant information and evidence:

1. If the research infrastructures receive public funding for both economic and non-economic activities, please tick the box below to confirm that a monitoring and claw-back mechanism is in place in order to ensure that the applicable maximum aid intensity is not exceeded.

yes  no

Please provide relevant information and evidence:

1. Does the price charged for the operation or use of the research infrastructures correspond to a market price?

yes  no

Please specify:

1. Is access to the research infrastructures open to several users on a transparent and non-discriminatory basis?

yes  no

In case preferential access is granted to some undertakings, please provide details and indicate the share of the investment costs borne by those undertakings:

## Aid for the construction and upgrade of testing and experimentation infrastructures (may also be referred to as “technology infrastructures”)

1. Please provide a full description of the testing and experimentation infrastructure (see the definition in point 16 (ll) of the R&D&I Framework), including its location, its functionalities, facilities and equipment, services, intended users and profile of the users (including their size, sector and other relevant information) etc.

1. Please also provide the duration of the project (start and end date of the construction or upgrade activities), including a GANTT chart to illustrate how and when the aided investment activities will be carried out and end, as well as the date when the infrastructure will be put in operation and its envisaged lifetime.

1. Please specify the eligible costs and for individual aid, indicate their amount and provide further details on the underlying cost elements and assumptions for their calculation. Please support your calculations with appropriate evidence to be annexed to the notification form.

|  |  |
| --- | --- |
| **Eligible costs** | Eligible costs amount |
| investment costs for construction and upgrade of testing and experimentation infrastructure  including |  |
| [please include a row for each cost that you deem to fall into the overall category of investment costs in tangible and intangible assets] |  |
| **Total eligible costs** |  |

1. Please specify the applicable aid intensity and provide further justification if any increase of the basic aid intensity is applicable:

|  |  |  |  |
| --- | --- | --- | --- |
| **Applicable aid intensity** | **Small enterprise**  **%** | **Medium-sized enterprise**  **%** | **Large enterprise**  **%** |
| Basic aid intensity for investment aid for the construction and upgrade of testing and experimentation infrastructures |  |  |  |
| Increase of the basic aid intensity:   * subject to at least two Member States providing the public funding, or * for testing and experimentation infrastructure (TEIs) evaluated and selected at EU level , and/or |  |  |  |
| * subject to the testing and experimentation infrastructure providing services predominantly to SMEs (at least allocating 80 % of its capacity for that purpose) |  |  |  |
| Applicable aid intensity |  |  |  |

1. Please provide information about the State aid that you intend to grant, including:
   * + 1. The overall nominal State aid amount

* + - 1. What is the State aid instrument (form of aid)

* + - 1. Whether the State aid will be disbursed in one or several instalments

* + - 1. The provisional dates (at least the years) of the disbursement and the amounts of each of these instalments

* + - 1. Your explanation on how you established the State aid amount you intend to award for testing and experimentation infrastructure and the instalment schedule.

1. Please provide detailed and precise information on the planned or expected specialisation of the infrastructure, its state of the art character and the role the infrastructure could play in facilitating at regional, national or Union level the digital and green transition of the Union economy.

1. Please provide information on whether there are similar testing and experimentation infrastructures, whether publicly funded or not, in the Union.

1. Does the price charged for the operation or use of the testing and experimentation infrastructure(s) correspond to a market price?

yes  no

Please specify and provide further details on the market prices and the prices charged, as well as due evidence for determining the market prices:

1. Is access to the testing and experimentation infrastructure open to several users on a transparent and non-discriminatory basis and on market terms?

yes  no

Please provide further details on the terms and conditions for the open, transparent and non-discriminatory access:

In case preferential access is granted to some undertakings, please provide details and justification for such an approach:

1. Please provide information about the extent to which the capacity of the testing and experimentation infrastructure would be allocated to services provided to SMEs. Please provide further details and submit relevant evidence.

1. Please demonstrate that the public support will not lead to duplication in services already offered by existing testing and experimentation infrastructures operating within the Union.

## Innovation aid for SMEs

1. Please indicate and describe the activities which are supported under the notified measure:

* obtaining, validating and defending patents and other intangible assets
* secondment of highly qualified personnel
* acquiring innovation advisory and support services[[14]](#footnote-14)

1. Please specify the period in which the supported innovation activities will be performed (start – end date):

1. Please specify the eligible costs and, for individual aid, indicate their amount.

|  |  |
| --- | --- |
| **Eligible costs** | **Eligible costs amount** |
| Costs of obtaining, validating and defending patents and other intangible assets |  |
| Costs of secondment of highly qualified personnel |  |
| Costs of acquiring innovation advisory and support services |  |
| **Total eligible costs** |  |

1. Please specify the applicable aid intensities and provide further justification if any increase of the basic aid intensity is applicable.

|  |  |  |
| --- | --- | --- |
| **Applicable aid intensity** | Small enterprise  % | Medium –sized enterprise  % |
| Innovation aid for SMEs |  |  |

1. Please provide information about the State aid that you intend to grant, including:
   * + 1. The overall nominal State aid amount

* + - 1. What is the State aid instrument (form of aid)

* + - 1. Whether the State aid will be disbursed in one or several instalments

* + - 1. The provisional dates (at least the years) of the disbursement and the amounts of each of these instalments

* + - 1. Your explanation on how you established the State aid amount you intend to award for the supported innovation activity and the instalment schedule

…………………………………………………………………………………………

## Aid for process and organisational innovation

1. Please indicate and describe the activities supported under the notified measure:

* process innovation
* organisational innovation

Please describe the supported activity:

1. Please provide a concrete description of the activities that the process or organisational innovation will consist of and justify why, in your view, these activities represent such innovation (see definitions in point 16 (z) and (cc) of the R&D&I Framework). Please also provide the duration of the aided activities (start and end date), as well as a GANTT chart.

1. Please specify the eligible costs and, for individual aid, indicate their amount.

| **Eligible costs** | **Eligible costs amount** |
| --- | --- |
| Personnel costs to the extent employed for the project |  |
| Costs of instruments and equipment (depreciation to the extent and for the period used for the project) |  |
| Costs of buildings and land (depreciation to the extent and for the period used for the project) |  |
| Cost of contractual research, knowledge and patents bought or licensed from outside sources at arm's length conditions, as well as costs of consultancy and equivalent services used exclusively for the project |  |
| Additional overheads incurred directly as a result of the project |  |
| Other operating costs, including costs of materials, supplies and similar products, incurred directly as a result of the project. |  |
| **Total eligible costs** |  |

1. Please specify the applicable aid intensities and provide further justification if any increase of the basic aid intensity is applicable.

|  |  |  |  |
| --- | --- | --- | --- |
| **Applicable aid intensity** | Small enterprise  % | Medium-sized enterprise  % | Large enterprise  % |
| Aid for process and organisational innovation   * aid for large undertakings is subject to effective collaboration with at least one SME |  |  |  |

1. Please provide information about the State aid that you intend to grant, including:
   * + 1. The overall nominal State aid amount

* + - 1. What is the State aid instrument (form of aid)

* + - 1. Whether the State aid will be disbursed in one or several instalments

* + - 1. The provisional dates (at least the years) of the disbursement and the amounts of each of these instalments

* + - 1. Your explanation on how you established the State aid amount you intend to award for the aided activities and the instalment schedule

1. Where aid is awarded to large enterprises, please tick the box below to confirm that they effectively collaborate with SMEs in the aided activity and the collaborating SMEs incur at least 30% of the total eligible costs.

For individual aid, please provide relevant information and evidence:

## Aid for innovation clusters

1. Please clarify whether the measure targets the investment into a new innovation cluster or an upgrade of an existing innovation cluster.

1. Please provide a meaningful description of the innovation cluster, including its location, specialisation, functions, intended users, facilities, and if applicable, when the innovation cluster started its activities etc.

1. Please specify if the aid beneficiary is the owner and/or the operator of the innovation cluster. For the operator, if different from the owner, please specify if it has a separate legal personality or is it a consortium of undertakings without a legal personality (in the latter case please provide, besides the names of the consortium members, also the consortium agreement and confirm that each of these members will keep separate accounting for the costs and revenues from each activity)

For individual aid, please provide details:

1. Do the fees charged for using the clusters' facilities and participating in the clusters' activities correspond to the market price or reflect their costs?

yes  no

Please specify:

1. Is access to the clusters' premises, facilities and activities open to several users on a transparent and non-discriminatory basis?

yes  no

Please specify:

1. In case preferential access is granted to some undertakings, please provide details and indicate the share of the investment costs borne by those undertakings.

1. For individual aid (concerning both investment aid and/or operating aid), please provide information on:
   * + 1. the planned or expected specialisation of the innovation cluster, existing regional potential and presence of clusters in the Union with similar purposes

* + - 1. how the innovation cluster can have a positive effect on the technological advancement and digital transformation of the Union economy

* + - 1. whether the supported innovation cluster is a Digital Innovation Hub

* + - 1. whether the collaborations which would be stimulated or incentivised by the innovation cluster’s activities might aim, amongst others, to shorten the time needed from the creation of new knowledge to transposing it into innovative applications

* + - 1. Any other information you consider relevant

### Investment aid

1. Please specify the eligible costs and, for individual aid, indicate their amount.

|  |  |
| --- | --- |
| **Eligible costs** | **Eligible costs amount** |
| Investment costs for the construction and upgrade of the innovation cluster including |  |
| [please include a row for each cost that you deem to fall into the overall category of investment costs in tangible and intangible assets] |  |
| **Total eligible costs** |  |

1. Please specify the applicable aid intensities, including any increases for clusters located in assisted regions fulfilling the conditions of Articles 107(3)(a) or 107(3)(c) TFEU.

|  |  |  |  |
| --- | --- | --- | --- |
| **Investment aid for innovation clusters** | **Small enterprise**  **%** | **Medium-sized enterprise**  **%** | **Large enterprise**  **%** |
| Basic aid intenstiy for investment aid |  |  |  |
| Increase of the basic aid intensity :   * in assisted regions fulfilling the conditions of Article 107(3)(c) of the Treaty, or * in assisted regions fulfilling the conditions of Article 107(3)(a) of the Treaty |  |  |  |
| Applicable aid intensity: |  |  |  |

1. Please provide information about the State aid that you intend to grant, including:
   * + 1. The overall nominal State aid amount

* + - 1. What is the State aid instrument (form of aid)

* + - 1. Whether the State aid will be disbursed in one or several instalments

* + - 1. The provisional dates (at least the years) of the disbursement and the amounts of each of these instalments

* + - 1. Your explanation on how you established the State aid amount you intend to award for the aided activities and the instalment schedule

### Operating aid

1. Please indicate which activities are supported under the notified measure and provide further information on the substance and timing of the supported activities:

* animation of the cluster
* marketing of the cluster
* management of the cluster's facilities
* organisation of training programmes, workshops and conferences

…………………………………………………………………………………………..

1. Please specify the eligible costs and, for individual aid, indicate their amount and provide further details on the underlying assumptions for their calculation. Please support your calculations with appropriate evidence to be annexed to the notification form.

| **Operating aid for innovation clusters** | **Eligible costs amount** |
| --- | --- |
| Personal and administrative costs (including overheads) related to the animation of the cluster |  |
| Personal and administrative costs (including overheads) related to the marketing of the cluster |  |
| Personal and administrative costs (including overheads) related to the management of the cluster's facilities |  |
| Personal and administrative costs (including overheads) related to the organisation of training programmes, workshops and conference |  |
| **Total eligible costs** |  |

1. Please specify the applicable aid intensity:

|  |  |
| --- | --- |
| **Aid intensity for operating aid to the innovation cluster** | % |
|  |  |

1. Please provide information about the State aid that you intend to grant, including:
   * + 1. The overall nominal State aid amount

* + - 1. What is the State aid instrument (form of aid)

* + - 1. Whether the State aid will be disbursed in one or several instalments

* + - 1. The provisional dates (at least the years) of the disbursement and the amounts of each of these instalments

* + - 1. Your explanation on how you established the State aid amount you intend to award for the supported activities and the instalment schedule

# Compatibility assessment of the notified aid measure

## First condition: R&D&I aid facilitates the development of an economic activity

### Identifying the supported economic activity

1. For individual aid, please provide a comprehensive description of the aided project or activity (or refer back to the previous sections if such detailed description has been provided there).

1. Please identify and describe the economic activity that will be supported by the notified measure.

### Incentive effect

#### General conditions

1. Please confirm whether the aid will not subsidise the costs of an activity that the undertaking would anyhow incur:

yes  no

1. Please confirm whether the aid will not compensate for the normal business risk of an economic activity:

yes  no

1. Please provide further explanations or refer to a section where such information can be found:

1. Please confirm that, when awarding the aid under the notified measure, it will be ensured that work on the relevant R&D&I activities has not started prior to the aid application by the beneficiary to the national authorities[[15]](#footnote-15) and, for individual aid, specify the relevant dates:

yes  no

1. Please tick one of the boxes below to confirm that the aid applications of the aid beneficiary to the national authorities include at least the applicant's name and size of the undertaking, a description of the project, including its location and start and end dates, the amount of public support needed to carry it out, and a list of eligible costs:

yes  no

1. If the aid is awarded in the form of a fiscal measure, please provide details and, for non-incremental measures, any evaluation studies for establishing its incentive effect:

#### Additional considerations for individual aid

1. Please confirm whether the project size will be increased due to the notified measure?

yes  no

If so, please specify the type of increase and submit relevant evidence:

* increase in the total project costs (without a decrease in spending by the aid beneficiary when compared to the situation without aid)
* increase in the number of people assigned to R&D&I activities
* other type of increase

Please justify your answers and provide further details and submit relevant evidence:

1. Please specify whether the project scope will be increased due to the notified measure?

yes  no

If so, please specify the type of increase and submit relevant evidence:

* increase in the number of the expected deliverables of the project;
* increase in the level of ambition of the project evidenced by a higher number of partners involved, a higher probability of a scientific or technological break-through or a higher risk of failure (notably linked to the long-term nature of the project and uncertainty about its results);
* other type of increase.

Please justify your answers by providing further details and evidence:

1. Please confirm whether the project speed will be increased due to the notified measure?

yes  no

If so, please provide further justification, details and relevant evidence:

1. Please confirm whether the total amount spent will be increased due to the notified measure?

yes  no

If so, please specify the type of increase and submit further justification, details and relevant evidence:

* increase in total R&D&I spending by the aid beneficiary, in absolute terms or as a proportion of turnover
* changes in the committed budget for the project (without a corresponding decrease in the budget allocated to other projects)
* other type of increase

1. Please confirm whether the notified measure will be subject to a publicly available ex post evaluation of its contribution to the common interest?

yes  no

If so, please specify:

1. Please provide a comprehensive description, by means of analysis of the counterfactual scenario, of the behaviour of the beneficiary in the absence of aid (i.e. of what would have happened or could reasonably have been expected to happen without aid). Please demonstrate by contemporary internal evidence if the counterfactual has been considered by the beneficiary in its internal decision making and attach such evidence to this form.

1. Please specify and elaborate further the elements that are relevant for the demonstration of the incentive effect of the notified measure and provide supporting evidence, such as board documents, risk assessments, financial reports, internal business plans, expert opinions and other studies related to the project under assessment:

* level of profitability (i.e. where a project or investment would not, in itself, be profitable to carry out for an undertaking, but would generate important benefits for society)

* amount of investment and the timeframe of cash flows (e.g. whether the measure concern a high start-up investment, a low level of appropriable cash flows, a significant fraction of the cash flow arising in the very far future or in a very uncertain manner, etc.)

* level of risk involved (please provide an assessment of risk, which will in particular take into account, as applicable, the irreversibility of the investment, the probability of commercial failure, the risk that the project will be less productive than expected, the risk that the project undermines other activities of the aid beneficiary and the risk that the project costs undermine its financial viability)

1. If available, please provide industry-specific data demonstrating that the beneficiary's counterfactual scenario, its required level of profitability and its expected cash-flows are reasonable.

1. Please specify whether the aided measure involves cross-border cooperation or is financed by more than one Member State (i.e. it concerns cross-border R&D activities, research infrastructures, testing and experimentation infrastructures or innovation clusters).

### No breach of relevant Union law

1. Please tick one of the boxes below to confirm that the State aid measure, the conditions attached to it, including its financing method when the financing method forms an integral part of the State aid measure, or the activity it finances does not entail a violation of relevant Union law.

yes  no

1. For individual aid: please specify also whether there are any infringement proceedings relative to Articles 101 or 102 of the Treaty which may concern the beneficiary of the aid and which may be relevant for its assessment under Article 107(3) of the TFEU.

yes  no

Please provide also further information and clarifications on all these points:

## Second condition: R&D&I aid does not unduly affect trading conditions to an extent contrary to the common interest

### **Need for State intervention**

1. Please identify by ticking the relevant box below the market failures hampering R&D&I activities in the present case and justify the need for State aid. Please submit further explanations, clarifications and relevant evidence.

* positive externalities/knowledge spill-overs
* imperfect and asymmetric information
* coordination and network failures

1. Please explain how the notified measure can effectively mitigate the market failures affecting the R&D&I activities (i.e. how the State aid can bring about a material improvement that the market alone cannot deliver).

#### Additional conditions for individual aid

1. Please explain further whether the aid addresses a general market failure regarding R&D&I activities in the Union, or a specific market failure regarding, for example, a particular sector or line of business.

1. If available, please provide any sectoral comparisons and other studies that can substantiate the analysis of the alleged market failures.

1. If available, please provide any information regarding (other) R&D&I projects or activities undertaken within the Union which, with respect to their technological content, level of risk and size, are similar to those concerned by the notified measure and explain why the aid is needed in the case concerned.

### Appropriateness of the aid measure

1. Appropriate policy instrument

Please explain why in your view the State aid is the appropriate policy instrument to enable the R&D&I in question and there is no better placed and less distortive policy instrument capable of achieving the same results. Furthermore, please explain how the advantages of using a selective policy instrument such as State aid in order to increase R&D&I activities have been established, and provide any related impact assessment and supporting documents.

1. Where the project or R&D&I activities are also financed by the Union please demonstrate that State aid for the assessed project or R&D&I activity would create synergies with funding or co-financing from Union programmes.

1. Appropriateness among different aid instruments:
   1. Please explain your views why the chosen form of the State aid is likely to generate the least distortions of competition and trade. If aid is awarded in forms that provide a direct pecuniary advantage (such as direct grants, exemptions or reductions in taxes or other compulsory charges, or the supply of land, products or services at favourable prices), please provide an analysis of other options and explain why or how other forms of aid (such as repayable advances or forms of aid that are based on debt or equity instruments, such as State guarantees, the purchase of a share-holding or an alternative provision of debt or capital on favourable terms) are less appropriate to address the identified market failures.

* 1. For aid schemes: please specify also whether the notified scheme implements the objectives and priorities of Operational Programmes and identify the financing instrument chosen in those programmes.

### Proportionality of the aid

1. Please confirm whether the aid is determined in relation to a predefined set of eligible costs and limited to a certain proportion of those eligible costs ('aid intensity'). Please also confirm whether the aid intensity is established for each beneficiary of the aid, including in the case of a collaboration project.

yes  no

1. In the case of State aid for a project being carried out in collaboration between research organisations and undertakings, please confirm whether the contribution of direct public support and, where they constitute State aid, the contributions from research organisations to the same project will not exceed the applicable aid intensities for each beneficiary undertaking.

yes  no

Please specify further:

1. Repayable advances:
   1. If the aid is awarded in the form of a repayable advance expressed as gross grant equivalent, please provide details on the methodology applied in order to calculate such gross grant equivalent, including underlying verifiable data or, for individual aid, specify on the basis of which approved aid scheme the aid is awarded.

* 1. If the aid is awarded in the form of a repayable advance expressed as a percentage of the eligible costs and exceeds, by up to 10 percentage points, the maximum aid intensities laid down in the R&D&I Framework, please confirm, by ticking the box, that:
* in the case of a successful outcome, the notified measure provides that the advance is to be repaid with an interest rate not less than the discount rate resulting from the application of the Communication from the Commission on the revision of the method for setting the reference and discount rates[[16]](#footnote-16)
* in the case of a success exceeding the outcome defined as successful, the Member State concerned requests payments beyond repayment of the advance amount including interest according to the applicable discount rate
* in the case of failure or partial success, the repayment is proportional to the degree of success achieved
  1. Please provide details on the repayment of the advance and clearly define what is considered as a successful outcome of the aided activities, on the basis of a reasonable and prudent hypothesis.

1. Fiscal measures constituting State aid: if the aid is awarded in the form of a fiscal measure, please specify how the aid intensities are calculated and provide any relevant details:

* on the basis of individual projects, or
* at the level of the undertaking, as the ratio between the overall tax relief and the sum of all eligible R&D&I costs incurred in a period not exceeding three consecutive fiscal years

#### Additional conditions for individual aid

1. Please provide a comprehensive business plan for the aided project (with and without aid), including all relevant expected costs and revenues for the lifetime of the project. Please submit detailed explanations, justifications and relevant evidence for all underlying assumptions.

1. Ifthe aid beneficiary faces a clear choice between carrying out either the aided project or an alternative one without aid, please provide also a comprehensive business plan for the lifetime of the counterfactual project. Please provide detailed explanations, justifications and relevant evidence for all underlying assumptions.

1. In the absence of an alternative project, please explain how the aid is limited to the minimum necessary for the aided project to be sufficiently profitable, for example by making it possible to achieve an internal rate of return ('IRR') corresponding to the sector or firm specific benchmark or hurdle rate.

1. Ifthe aid beneficiary faces a clear choice between carrying out either the aided project or an alternative one without aid, please explain how the aid is limited to the minimum necessary to cover the net extra costs of the aided project compared to the counterfactual project, by taking account of the probabilities of different business scenarios occurring.

1. Please submit any supporting documents, such as internal company documents, showing that the counterfactual project is a clearly defined and sufficiently predictable alternative project that has been considered by the beneficiary in its internal decision making.

1. Please explain how the aid amount has been established and provide any supporting documents.

1. If there were multiple potential candidates for carrying out the aided activity, is the aid awarded on the basis of transparent, objective and non-discriminatory criteria?

yes  no

Please provide details:

1. If the aid is meant to address actual or potential direct or indirect distortions of international trade, i.e. where, directly or indirectly, competitors located outside the Union have received in the last three years or are going to receive aid of an equivalent intensity for similar projects, please provide sufficient information and any available evidence to enable the Commission to assess the situation, in particular the need to take account of the competitive advantage enjoyed by a third country competitor. Where distortions of international trade are likely to occur after more than three years, given the particular nature of the sector in question, the reference period may be extended accordingly.

### Cumulation of aid

1. Please confirm, by ticking the appropriate box, that:
   1. Where Union funding centrally managed by the institutions, agencies, joint undertakings or other bodies of the Union that is not directly or indirectly under the control of Member States, is combined with State aid, the total amount of public funding awarded in relation to the same eligible costs must not exceed the most favourable funding rate laid down in the applicable rules of Union law.

yes  no

* 1. Where the expenditure eligible for R&D&I aid is also potentially eligible in whole or in part for aid for other purposes, the overlapping portion will be subject to the most favourable ceiling under any of the relevant rules.

yes  no

* 1. Aid for R&D&I will not be cumulated with de minimis support in respect of the same eligible costs if that would result in an aid intensity exceeding those laid down in this framework.

yes  no

* 1. For aid measures for testing and experimentation infrastructures co-funded by Union funding: please demonstrate the necessary amount of total public funding (i.e. State aid and other sources of public funding) on the basis of a credible funding gap assessment ensuring that the total amount of public funding does not lead to overcompensation.

Please provide sufficient information to assess the necessary amount of total public funding for the testing and experimentation infrastructure and submit the relevant evidence:

1. With regards to confirmations requested in point (1) above, please provide further details, indicating the letter from the above questions to which these explanations are relevant.

### Transparency

1. Please tick the relevant box to confirm that the Member State will publish in the European Commission’s transparency award module or on a comprehensive State aid website, at national or regional level:
   * + 1. the full text of the individual aid granting decision or the approved aid scheme and its implementing provisions, or a link to it;

yes  no

* + - 1. the following information on each individual aid award granted ad-hoc or under an aid scheme approved on the basis of this framework and exceeding EUR 100 000:
* Identity of the individual beneficiary
* Name
* Beneficiary’s identifier

yes  no

* Type of beneficiary undertaking at the time of granting:
* SME
* Large undertaking

yes  no

* Region in which the beneficiary is located, at NUTS level II or below

yes  no

* The principal economic sector in which the beneficiary has its activities, at NACE group level

yes  no

* Aid element, and, where different, the nominal amount of aid, expressed as full amount in national currency

yes  no

* Aid instrument:
* Grant/Interest rate subsidy/Debt write-off
* Loan/Repayable advances/Reimbursable grant
* Guarantee
* Tax advantage or tax exemption
* Risk finance
* Other (please specify)

yes  no

* Date of award and the date of publication

yes  no

* Objective of the aid

yes  no

* Identity of the granting authority or authorities

yes  no

* Where applicable, name of the entrusted entity, and the names of the selected financial intermediaries

yes  no

* Reference of the aid measure

yes  no

* + - 1. Please provide the web address of the State aid website:

…………………………………………………………………………………………

* + - 1. For schemes in the form of tax advantages, please confirm that the required information on individual aid amounts in the ranges described in point 102 of the R&D&I Framework, will be published:

yes  no

1. Please tick the relevant box below in order to confirm that the Member State will organise its comprehensive State aid website (as declared in the previous point) in such a way as to allow easy access to the information, that the information will be published in a non-proprietary spreadsheet data format, which allows data to be effectively searched, extracted, downloaded and easily published on the internet, for instance in CSV or XML format, and that the general public will be allowed to access the website without any restrictions, including prior user registration.

yes  no

1. Please tick the relevant box below to confirm that the information as per the above will be published within six months from the date of award of the aid, or, for aid in the form of tax advantages, within one year from the date the tax declaration is due.

yes  no

Please specify the time period applicable for your aid measure:

1. Where applicable, please tick the relevant box below to confirm for aid that was unlawful but subsequently found to be compatible, the Member State will publish this information within six months from the date of the Commission’s decision declaring the aid compatible.

☐ yes ☐ no

1. To enable the enforcement of State aid rules under the Treaty, the information must be available for at least 10 years from the date on which the aid was granted.

yes  no

### Verifying that specific negative effects of R&D&I aid on competition and trading conditions are minimised or avoided

Please indicate:

1. whether the award of aid allows the aid beneficiary to gain competitive advantage through:

* reduced production costs
* increased production capacity
* new product development
* other effects,please specify:

1. the award of aid is subject to the obligation for the beneficiary to have its central seat, or be predominantly established in the relevant Member State (point 117 of the R&D&I Framework):

yes  no

1. the award of aid is subject to the obligation for the beneficiary to use national products or services (point 117 of the R&D&I Framework):

yes  no

1. the aid measure restricts the possibility for the beneficiary to exploit the R&D&I results in other Member States (point 117 of the R&D&I Framework):

yes  no

1. the aid measure imposes any other obligation on the beneficiary:

yes  no

1. Please provide justification for the answers you have selected and submit evidence where necessary. If the answer to any of the questions in this section is yes, please provide details:

#### Aid scheme

1. For aid schemes,please explain how it will be ensured that any negative effects will be limited to the minimum (taking account, for example, of the size of the projects concerned, the individual and cumulative aid amounts, the number of expected beneficiaries and the characteristics of the targeted sectors) and provide any impact assessment or *ex-post* evaluations carried out for similar predecessor schemes.

#### Additional conditions for individual aid

1. If applicable, please describe the likely impact of the aid on competition in the innovation process (see point 109 of the R&D&I Framework).

1. Please identify the product markets on which the aid is likely to have an impact and provide the current market share and your assessment of the market position and the market power of the beneficiary in each of the markets concerned, as well as any changes in those market shares, market position and market power that would result from the aided activities.

1. For each of the product markets concerned, please identify the main competitors of the aid beneficiary and provide their market shares.

If available, please provide the associated Herfindahl-Hirschman Index ('HHI').

1. For each of the product markets concerned, please provide information on the customers or consumers affected by the aided activities.

1. Please describe the structure and dynamics of the markets concerned with regard to the following aspects (point 124 and point 126 of the R&D&I Framework):
   * + 1. recent developments andfuture growth prospects

* + - 1. amount spent by the main players on projects of a similar kind

* + - 1. levels of entry and exit barriers

* + - 1. existence of countervailing buyer power

* + - 1. incentives to compete for future markets

* + - 1. product differentiation and intensity of competition

* + - 1. other features likely to affect competitors, customers or consumers

1. Has the aid beneficiary any influence in the selection process, for example by having the right to recommend undertakings or influencing the research path?

yes  no

If so, please provide details:

1. Please tick the relevant box to declare if the aid is awarded in markets featuring overcapacity or in declining industries.

yes  no

If so, please provide details on these markets and industries and your justification why in your view the aid would not raise concerns:

1. Please indicate whether the beneficiary has considered any alternative locations for the aided activities.

yes  no

Please provide details and credible contemporaneous internal evidence of the aid beneficiary to support the claim.

1. Please provide your general view why you believe the aid will not give rise to potential distortions of competition and trade between Member States.

…………………………………………………………………………………………

### Weighing up the positive and the negative effects of the aid

1. Please identify, according to your view, which are the positive effects of the aid on the aided economic activity and the wider R&D&I-related positive effects of the aid that need to be taken into account in the analysis. For further details and justification, you may provide reference to your detailed answers to the next questions.

1. Please define precisely the objective pursued and explain how the notified measure intends to promote R&D&I activities.

1. Please elaborate whether the aid brings about wider R&D&I-related positive effects.

Please elaborate whether these positive effects are embodied in Union policies (such as the new ERA for Research and Innovation, the European Green Deal, the European Digital Strategy and the New Industrial Strategy for Europe Communications)?

1. Please indicate whether the state aid measure contributes to the digital transformation of the Union industry and Union’s transition to a zero/low-carbon economy, and if so, please explain how.

1. In case of an aid scheme, is it part of a comprehensive programme or action plan to stimulate R&D&I activities or smart specialisation strategies?

yes  no

Please provide, where relevant, the reference to evaluations of similar past aid measures:

1. If relevant, please clarify whether the supported R&D&I activities are in accordance with the Regulation (EU) 2020/852 of the European Parliament and of the Council[[17]](#footnote-17).

If not please explain whether an alternative methodology was applied to identify R&D&I activities for technologies, products or other solutions for environmentally sustainable economic activities.

#### Balancing of the positive effects against the negative effects of the aid

1. Please provide your view (for both aid schemes and individual aid) why you believe the positive effects of the aid, as identified and justified by you above in this section outweigh the negative effects on competition and trading conditions of the aid.

# OTHER INFORMATION

1. Please provide any other information that would be of relevance to assess the notified aid measure under the R&D&I Framework.

1. Please list below all annexes attached to the form (which should include relevant evidence, business plans, studies, etc.). Please indicate clearly (paragraphs, pages, in a visual manner) where the information supporting the replies provided in the form can be found in these annexes.

1. OJ C 414, 28.10.2022 p. 1. [↑](#footnote-ref-1)
2. Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (OJ L 187, 26.6.2014, p. 1) [↑](#footnote-ref-2)
3. OJ C 249, 31.7.2014, p. 1. [↑](#footnote-ref-3)
4. OJ L 124, 20.5.2003, p. 36. [↑](#footnote-ref-4)
5. Please refer to point 20 of the R&D&I Framework providing guidance where activities are generally of non-economic character, such as certain primary activities of research organisations and research infrastructure and certain knowledge transfer activities, provided that the therein escribed conditions are satisfied. [↑](#footnote-ref-5)
6. Please note that the Commission will consider as support of an economic activity falling under State aid rules where a research organisation or research infrastructure is both publicly and privately funded and where the allocated public funding to the relevant entity for a specific accounting period exceeds the costs of non-economic activities incurred in that period (Footnote 40 of R&D&I Framework). [↑](#footnote-ref-6)
7. “arm’s length” means that the conditions of the transaction between the contracting parties do not differ from those which could be stipulated between independent enterprises and contain no element of collusion. Any transaction that results from an open, transparent and non-discriminatory procedure is considered as meeting this principle (point 16(f) of the R&D&I Framework) [↑](#footnote-ref-7)
8. In accordance with point 28 of the R&D&I Framework, a project is considered to be carried out through effective collaboration where at least two independent parties pursue a common objective based on the division of labour and jointly define its scope, participate in its design, contribute to its implementation and share its financial, technological, scientific and other risks, as well as its results. [↑](#footnote-ref-8)
9. See definition on “arm’s’ length” under point 16(f) of the R&D&I Framework [↑](#footnote-ref-9)
10. Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65), and Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243) [↑](#footnote-ref-10)
11. Without prejudice to procedures that cover both the development and the subsequent purchase of unique or specialised products or services. [↑](#footnote-ref-11)
12. Health relevant/related research includes research into vaccines, medicinal products and treatments, medical devices and hospital and medical equipment, disinfectants, and protective clothing and equipment, and into relevant process innovations for an efficient production of the required products. Specifically for health relevant/related R&D projects the following costs are eligible: all costs necessary for the R&D project during its duration, amongst others, personnel costs, costs for digital and computing equipment, for diagnostic tools, for data collection and processing tools, for R&D services, for pre-clinical and clinical trials (trial phases I-IV); phase-IV trials are eligible as long as they allow further scientific or technological advance. [↑](#footnote-ref-12)
13. Additional overheads and other operating expenses, including costs of materials, supplies and similar products, incurred directly as a result of the project, may alternatively be calculated on the basis of a simplified cost approach in the form of a flat-rate of up to 20 %, applied to total eligible direct R&D project costs defined in Annex I, point (a) to (d) and point (g) for health relevant/related R&D projects. In this case, the R&D project costs used for the calculation of indirect costs shall be established on the basis of normal accounting practices and shall comprise only eligible R&D project costs listed in Annex I, points (a) to (d) and point (g) for health relevant/related R&D projects. For projects co-funded under Horizon Europe programme Member States may use the Horizon Europe simplified cost methodology to calculate indirect R&D project costs (point – 80 of the R&D&I Framework). [↑](#footnote-ref-13)
14. See the definitions of innovation advisory services ( point 16(s) of the R&D&I Framework) and of innovation support services ( point 16 (u) of the R&D&I Framework. [↑](#footnote-ref-14)
15. If the aid application is for an R&D project, it is not excluded that the potential beneficiary would have already carried out feasibility studies which are not covered by the request for aid (Footnote 52 of the R&D&I Framework). In the case of aid for projects or activities that are carried out in successive phases which may be subject to separate aid awarding procedures, this means that start of works must not take place before the first aid application. In the case of aid awarded under an automatic fiscal aid scheme, such scheme must have been adopted and entered into force before any work on the aided project or activity starts (Footnote 53 of the R&D&I Framework). [↑](#footnote-ref-15)
16. OJ C 14, 19.1.2008, p. 6. [↑](#footnote-ref-16)
17. Regulation (EU) 2020/852 of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 (OJ L 198, 22.6.2020, p. 13). [↑](#footnote-ref-17)