

[...]

***REPORT 2018 – -2019
OF THE FRENCH COMMUNITY COMMISSION ON STATE
AID***

FRENCH COMMUNITY COMMISSION SHEET (May 2020)

CATEGORY	Social services
SECTOR	Care and social inclusion of vulnerable groups
SUB-SECTOR	Disabled people

1. DESCRIPTION OF THE APPLICATION OF THE SGEI DECISION AND THE SGEI FRAMEWORK AND AMOUNTS GRANTED

Legal basis:

Decree of 17 January 2014 of the French Community Commission on the inclusion of disabled people, as amended.

Decree of 6 July 2001 of the French Community Commission amending various laws on subsidies granted in the health policy and personal support sector and on the amendment of various implementing orders concerning the personal support, health, disabled people and socio-professional integration sectors.

Decree of 29 October 2010 of the French Community Commission on the granting of subsidies for the purchase or construction of buildings in order to set up day centres, residential centres and supported housing and organise leisure activities for disabled people cared for by support services, and also for the extension, conversion, major repair, improvement of accessibility for people with reduced mobility, equipment and initial furnishing of such buildings.

Order No 2017/626 of 1 March 2018 of the Board of the French Community Commission laying down the terms and procedures for the approval of the centres, services, housing or undertakings referred to in Article 70 of the Decree of 17 January 2014 of the French Community Commission on the inclusion of disabled people.

Order No 2001/549 of 18 October 2001 of the French Community Commission on the application of the Decree of 12 July 2001 of the French Community Commission amending various laws on subsidies granted in the health policy and personal support sector and on the amendment of various implementing orders concerning the personal support, health, disabled people and socio-professional integration sectors, as amended.

Order No 99/262/E2 of 18 July 2002 of the Board of the French Community Commission on the approval and subsidy of day centres for schoolchildren, as amended.

Order No 99/262/E4 of 28 November 2002 of the Board of the French Community Commission on staffing levels in day centres for schoolchildren, as amended.

Order No 2006/554 of 21 September 2006 of the Board of the French Community Commission on the approval and subsidy of day centres and residential centres for disabled people, as amended.

Order No 2017/1127 of 1 March 2018 of the Board of the French Community Commission on support services, implementing Section 4 of Chapter 4 of the Decree of 17 January 2014 of the French Community Commission on the inclusion of disabled people.

Order No 2017/1481 of 1 March 2018 of the Board of the French Community Commission on family care services, implementing Section 3 of Chapter 6 of the Decree of 17 January 2014 of the French Community Commission on the inclusion of disabled people.

Order No 2017/891 of 1 March 2018 of the Board of the French Community Commission on services supporting socially beneficial activities, implementing Section 5 of Chapter 4 of the Decree of 17 January 2014 of the French Community Commission on the inclusion of disabled people.

Order No 2017/1388 of 1 March 2018 of the Board of the French Community Commission on services supporting communication with and interpreting for deaf people, implementing Article 27 of the Decree of 17 January 2014 of the French Community Commission on the inclusion of disabled people.

Order No 2008/1584 of 12 February 2009 of the Board of the French Community Commission on the approval of adapted work undertakings and on contributions and subsidies granted to approved adapted work undertakings, as amended. NB: a new decree entered into force with effect from 1 October 2019.

Order No 2017/892 of 1 March 2018 of the Board of the French Community Commission on inclusive leisure services, implementing Section 7 of Chapter 4 of the Decree of 17 January 2014 of the French Community Commission on the inclusion of disabled people.

Order No 2018/1219 of 1 March 2018 of the Board of the French Community Commission on participation services through community activities, implementing Section 3 of Chapter 7 of the Decree of 17 January 2014 of the French Community Commission on the inclusion of disabled people.

Order No 2018/1592 of 24 January 2019 of the Board of the French Community Commission on services supporting vocational training, implementing Article 29 of the Decree of 17 January 2014 of the French Community Commission on the inclusion of disabled people (effective as of 1 January 2019).

Order No 2011/149 of 14 July 2011 of the Board of the French Community Commission laying down criteria and methods for granting subsidies for the purchase or construction of buildings in order to set up day centres, residential centres and supported housing and organise leisure activities for disabled people cared for by support services, and also for the extension, conversion, major repair, improvement of accessibility for people with reduced mobility, equipment and initial furnishing of such buildings.

Order No 2017/165 of 23 November 2017 of the Board of the French Community Commission on special and innovative projects, labels and recognised associations, implementing Sections 3 and 4 of Chapter 7 of the Decree of 17 January 2014 of the French Community Commission on the inclusion of disabled people.

Description of how the respective services are organised	
<p>Kind of services in the respective sector defined as SGEI.</p> <p>Contents of the services entrusted as SGEI.</p>	<p>General principles:</p> <p>1. Article 70(2) of the Decree on the inclusion of disabled people states: ‘Centres, services, associations, housing and undertakings must be mandated for a maximum period of 10 years, renewable, as services of general economic interest within the meaning of Commission Decision (EC) 2012/21/EU of 20 December 2011 on the application of Article 106(2) of the Treaty on the Functioning of the European Union to State aid in the form of public service compensation granted to certain undertakings entrusted with the operation of services of general economic interest.’</p> <p>2. For each type of centre, undertaking or service specifically for disabled people, the regional authority lays down different approval rules covering:</p> <ol style="list-style-type: none"> 1. missions; 2. quality; 3. infrastructure; 4. organisation and operation; 5. number, level of qualification and continuing training of staff; 6. number and type of disabled people; 7. relations between the centre, undertaking or service and the disabled person; 8. relations between the centre, undertaking or service and the PHARE Service (service for disabled people). <p>1. Support services: 28 approved</p> <p>These have the following tasks:</p> <ol style="list-style-type: none"> 1. where they focus on young disabled children and their families, sometimes even before birth, they must provide early support in educational, social, psychological and health terms;

	<p>2. where they focus on disabled children and teenagers, they must provide support in educational, social, psychological and health terms and ensure their educational, social and professional inclusion;</p> <p>3. where they focus on disabled adults, they must support their independence and the maintenance or improvement of their quality of life by providing them and their families, if necessary, with information and support meeting their needs in everyday matters and activities. In addition, each support service, whatever the age of the disabled person, must carry out the following tasks:</p> <ol style="list-style-type: none"> 1. support the disabled person in his or her life plan through tailored support provided at home as part of the service or in any other appropriate place; 2. identify and put in place responses to the specific needs of the disabled person together with that person and his or her family and friends, if necessary; 3. put the disabled person and his or her family, if necessary, in contact with people, services and care facilities that may be useful to them; 4. participate in any initiatives to prevent the appearance and worsening of disabilities. <p>2. Adapted work undertakings: 12 approved</p> <p>Adapted work undertakings have the following priority objectives:</p> <ol style="list-style-type: none"> 1. to provide any disabled person with a useful and remunerative job; 2. to enable disabled people to develop professionally and enhance their skills. <p>3. Day centres: 33 approved</p> <p>Day centres have the task of caring for disabled people during the day, including for the midday meal, by offering medical, psychological, paramedical, social and educational support so that they can achieve or maintain the highest</p>
--	--

	<p>possible level of independence and an optimum level of family and social integration.</p> <p>Day centres care for either disabled minors, whether or not they attend school, or disabled adults who cannot attend training or carry out a job, whether or not adapted.</p> <p>4. Residential centres: 33 approved</p> <p>Residential centres have the task of caring for disabled children or adults in the evening and overnight, including for breakfast, and during the day when the usual daytime activity does not run or the disabled person cannot attend that activity.</p> <p>5. Services supporting communication with and interpreting for deaf people: 1 approved</p> <p>These have the following tasks:</p> <ol style="list-style-type: none"> 1. to deal with requests for sign language interpreting, transliteration or captioning services; 2. to make interpreters, transliterators or captioners available to people requesting them. <p>6. Services supporting socially beneficial activities: 1 approved (from January 2018)</p> <p>Services supporting socially beneficial activities have the following tasks:</p> <ol style="list-style-type: none"> 1. to provide assistance and support to disabled people in relation to socially beneficial activities; 2. to identify socially beneficial activities that can be carried out by disabled people; 3. to promote socially beneficial activities for disabled people in society. <p>7. Special and innovative projects</p>
--	--

	<p>The objective of these projects is to provide a response to new or unmet needs, improve the existing offer or raise awareness and inform.</p> <p>They are divided into:</p> <ol style="list-style-type: none"> 1. short-term special projects (40 projects in 2019); 2. innovative projects (2 projects in 2019); 3. approved special projects (9 projects in 2019). <p>8. Family care services (2 contracted from January 2018)</p> <p>These have the following tasks:</p> <ol style="list-style-type: none"> 1. identifying and selecting host families; 2. providing support to the disabled person and the host family; 3. monitoring and evaluation of the process; 4. development of partnerships. <p>9. Inclusive leisure services (2 contracted from January 2018)</p> <p>These have the following tasks:</p> <ol style="list-style-type: none"> 1. support in the search for inclusive leisure activities; 2. the organisation of inclusive leisure activities; 3. cooperation with other organisations active in the field of leisure activities. <p>10. participation services through collective activities — PACT (1 approved as of January 2019)</p> <p>These have the following tasks:</p> <ol style="list-style-type: none"> 1. organising collective voluntary activities for the benefit of society; 2. developing the skills of persons with disabilities through their participation in collective voluntary activities.
--	--

	<p>11. Vocational training support services (3 contracted from 2019)</p> <p>Their tasks are to implement:</p> <ol style="list-style-type: none"> 1. individual psycho-pedagogical support; 2. training and coordination; 3. information and mediation.
Forms of entrustment	<p>Decree on the inclusion of disabled people.</p> <p>Approval order of the Board of the French Community Commission.</p> <p>Subsidy order.</p>
Duration of the entrustment	<p>Approved services with the exception of day centres and accommodation centres for disabled people and day centres for children attending school</p> <p>For pending approvals: maximum of five years, renewable.</p> <p>For future renewals of approvals: maximum of ten years, renewable.</p> <p>Day centres and residential centres for disabled people and day centres for children attending school:</p> <p>Maximum of five years, renewable.</p> <p>Special and innovative projects</p> <ol style="list-style-type: none"> 1. short-term special projects: one year. 2. innovative projects: three years. 3. approved special projects: maximum five years. Renewable.
Exclusive or special rights assigned	<p>Defined in the Decree on the inclusion of disabled people.</p>
Compensation mechanism as regards the respective services, including aid instrument used. Methodology used to determine the compensation	<p>1. Support services</p> <p>Each service can be approved in one of the following categories:</p>

	<p>1. Category 1: the service supports at least 12 disabled people per year.</p> <p>Services approved for the first time are placed in category 1.</p> <p>2. Category 2: the service supports at least 20 disabled people per year.</p> <p>3. Category 3: the service supports at least 40 disabled people per year.</p> <p>4. Category 4: the service supports at least 60 disabled people per year.</p> <p>5. Category 5: the service supports at least 80 disabled people per year.</p> <p>This support involves:</p> <ol style="list-style-type: none"> 1. at least 288 actions per year in category 1; 2. at least 480 actions per year in category 2. 3. at least 960 actions per year in category 3. 4. at least 1 440 actions per year in category 4; 5. at least 1 920 actions per year in category 5. <p>In addition, they can be approved to carry out one or more of the following specific activities:</p> <ol style="list-style-type: none"> 1. Support for young children's care facilities: <p>This involves the service taking part in a mobile team supporting young children's care facilities in the context of inclusive care for young disabled children. These care facilities situated in the Brussels Region are authorised by the <i>Office de la Naissance et de l'Enfance</i> (Birth and Childhood Agency) in accordance with the Decree of 17 July 2002 on the reform of the <i>Office de la Naissance et de l'Enfance</i> (ONE) and its implementing orders.</p> <ol style="list-style-type: none"> 2. Drop-in centres: <p>these are occasional day care centres for children up to the age of 6 years, set up in accordance with</p>
--	--

	<p>the Decree of 17 July 2002 on the reform of the <i>Office de la Naissance et de l'Enfance</i> (ONE) and its implementing orders.</p> <p>These care centres take account of the specific needs of visiting disabled children. They help children to develop through adapted individual and group activities. They offer parents some respite.</p> <p>3. Assistance with educational inclusion:</p> <p>this involves providing assistance with educational inclusion for disabled children and teenagers who are studying in ordinary infant, primary or secondary schools.</p> <p>These children and teenagers can benefit from an educational inclusion process put in place by the Decree of 3 March 2004 of the French Community on specialised education.</p> <p>This individual assistance includes support for the disabled person and his or her family and friends in the various dimensions of the educational inclusion process, assistance with the use of specific equipment, coordination or mediation between the various operators who may be involved in the inclusion process, and their awareness-raising and information.</p> <p>4. Sitting services:</p> <p>this involves organising individual active care for disabled people, particularly those with high dependency needs, at home or in another living environment.</p> <p>5. Organisation of leisure activities:</p> <p>this involves organising regular group leisure activities of a recreational, cultural, tourism, culinary, entertainment, well-being and expressive (in all its forms) nature, without this list being exhaustive, and/or adapted stays for</p>
--	---

	<p>disabled people, particularly those with high dependency needs.</p> <p>Some stays and activities can take place outside the Brussels Capital Region.</p> <p>6. Support in critical situations:</p> <p>this involves assisting disabled people, particularly those with high dependency needs, when they find themselves in situations endangering themselves or others or posing a risk of social or family exclusion.</p> <p>Depending on the situation, this assistance can consist of support for the disabled person and his or her family and friends or care facility, help with using specific strategies, coordination or mediation between the various operators who may be involved, awareness-raising and mobilisation of teams of professionals.</p> <p>7. Supported accommodation:</p> <p>this is accommodation leased or owned by the service and made available to a disabled adult for a limited period of time, which may be extended, in order to improve the person's independence and support his or her choice of future living place.</p> <p>The personalised plan takes account of these objectives and mainly involves individual actions connected with everyday life.</p> <p>Subsidies</p> <p>The annual subsidy for the costs of staff assigned to the basic tasks indicated is limited to the following staffing levels at all times of the year:</p> <p>1. category 1 service: 1.5 full-time equivalents, of which a maximum of 0.25 full-time equivalent for management positions;</p>
--	--

	<p>2. category 2 service: 2.5 full-time equivalents, of which a maximum of 0.5 full-time equivalent for management positions;</p> <p>3. category 3 service: 3.5 full-time equivalents, of which a maximum of 0.75 full-time equivalent for management positions;</p> <p>4. category 4 service: 4.5 full-time equivalents, of which a maximum of 1 full-time equivalent for management positions;</p> <p>5. category 5 service: 5.5 full-time equivalents, of which a maximum of 1 full-time equivalent for management positions.</p> <p>The subsidy covers the staff costs incurred. It is limited to the calculation made based on the wage scales indicated in Annex I NM to the NM Order (non-market) and includes employer costs and other benefits indicated in Annex V NM to the NM Order, based on the length of service indicated in Annex IV NM to the NM Order.</p> <p>The wage scales for each position are indicated in Annex II NM to the NM Order.</p> <p>A subsidy equivalent to a maximum of one per cent of the calculated subsidy is granted to cover justified staff training costs.</p> <p>The annual subsidy for overheads is limited to the following amounts:</p> <p>1. category 1 service: EUR 14 000.00;</p> <p>2. category 2 service: EUR 25 000.00;</p> <p>3. category 3 service: EUR 32 000.00;</p> <p>4. category 4 service: EUR 41 000.00;</p> <p>5. category 5 service: EUR 50 000.00.</p> <p>The annual subsidy for specific actions for which the service is approved covers staff costs and overheads incurred according to the specified breakdown.</p>
--	--

	<p>For the ‘support for young children’s care facilities’ specific action, the subsidy is limited to EUR 14 000.</p> <p>For the ‘drop-in centre’ specific action, the subsidy is limited to EUR 16 000.</p> <p>If the service cannot provide evidence for 90% of the number of people and care periods, the subsidy is reduced accordingly.</p> <p>For the ‘assistance with educational inclusion’ specific action, the subsidy is limited to the following amounts:</p> <ul style="list-style-type: none"> - in the context of Article 30(1): EUR 18 000; - in the context of Article 30(2): EUR 36 000; - in the context of Article 30(3): EUR 54 000. <p>If the service cannot provide evidence for 90% of the number of people and actions, the subsidy is reduced accordingly.</p> <p>For the ‘sitting service’ specific action, the subsidy is limited to the following amounts:</p> <ul style="list-style-type: none"> - in the context of Article 31(1): EUR 80 000; - in the context of Article 31(2): EUR 140 000; - in the context of Article 31(3): EUR 180 000. <p>If the service cannot provide evidence for 90% of the number of hours indicated in Article 31, the subsidy is reduced accordingly.</p> <p>For the ‘organisation of leisure activities’ specific action, the subsidy is limited to the following amounts:</p> <ul style="list-style-type: none"> - in the context of Article 32(1): EUR 30 000; - in the context of Article 32(2): EUR 52 000. <p>If the service is approved to care for people with high dependency needs, these amounts are tripled.</p>
--	---

	<p>If the service cannot provide evidence for 90% of the number of periods indicated in Article 32, the subsidy is reduced accordingly.</p> <p>For the ‘support in critical situations’ specific action, the subsidy is limited to EUR 33 000.</p> <p>If the service is approved to assist people with high dependency needs, this amount is increased to EUR 99 000.</p> <p>If the service cannot provide evidence for 90% of the number of people assisted, the subsidy is reduced accordingly.</p> <p>For the ‘supported accommodation’ specific action, the subsidy is limited to the following amounts:</p> <ul style="list-style-type: none"> - in the context of Article 34(1): EUR 12 000; - in the context of Article 34(2): EUR 20 000; - in the context of Article 34(3): EUR 30 000. <p>2. Adapted work undertakings</p> <p>Contributions to the wage and social security contributions for workers.</p> <p>The application for contributions to the wage and associated social security contributions for workers of the adapted work undertaking contains:</p> <ol style="list-style-type: none"> 1. a first part relating to disabled workers; 2. a second part relating to disabled workers employed under Article 78 of the Royal Decree of 25 November 1991 regulating unemployment; 3. a third part relating to disabled people employed under vocational adaptation contracts; 4. a fourth part relating to management staff; 5. a fifth part relating to the contribution to the <i>‘Fonds de sécurité d’existence pour les entreprises de travail adapté agréées par la</i>
--	--

	<p><i>Commission communautaire française</i>’ (Job security fund for adapted work undertakings approved by the French Community Commission);</p> <p>6. a sixth part relating to the job security benefit in the event of economic unemployment.</p> <p>The undertaking identifies the members of staff for whom it is applying for a contribution.</p> <p>The contribution to the wage and social security contributions for workers of the adapted work undertaking is granted in accordance with Articles 40, 71 and 72 of the Order of 25 February 2000 of the Board of the French Community Commission on individual arrangements for the social and professional integration of disabled people, implemented by the <i>Service bruxellois francophone des personnes handicapées</i> (Brussels French-speaking service for disabled people). Disabled workers are paid at least the guaranteed average monthly minimum wage.</p> <p>The first part of the contribution application relating to disabled workers covers:</p> <ol style="list-style-type: none"> 1. disabled workers with an employment contract whose position corresponds to a scale code from 21 to 24, as indicated in Annex 3. 2. disabled workers with an employment contract whose position corresponds to a scale code from 13 to 20, as indicated in Annex 3. <p>The amount taken into account for calculating the contribution to the wage and social security contributions for these workers is set as follows:</p> <ol style="list-style-type: none"> a) for workers covered by subparagraph 1, 50% of the wage paid to each disabled worker and of the associated employer costs capped at 15% of the wage. <p>In order to set this amount:</p>
--	--

	<p>- the part of the hourly wage exceeding the amount obtained by multiplying by 1.21 the average minimum wage as guaranteed by Collective Labour Agreement No 43 of 2 May 1988, concluded within the National Labour Council, calculated on a time basis taking into account a working week of 38 hours, is disregarded;</p> <p>- for employees, the hourly wage is calculated by dividing the gross quarterly wage by the number of hours worked or treated as such.</p> <p>b) For workers covered by subparagraph 2, 50% of the wage scale for the position held by the worker, as defined in Annex 3, and of the associated employer costs. The wage scale taken into account is, however, limited to wage scale 19.</p> <p>In order to set this amount:</p> <p>for employees, the hourly wage is calculated by dividing the gross quarterly wage by the number of hours worked or treated as such.</p> <p>The amount of the social security contributions associated with the worker's wage is set at 15% of this wage scale.</p> <p>The wage of disabled workers comprises the total gross wage for the hours actually worked and the guaranteed wage in the case of work incapacity, including the first two waiting days deducted in a calendar year, remuneration for public holidays and single holiday pay for employees.</p> <p>It does not include overtime pay or contractual bonuses and allowances.</p> <p>It does include an end-of-year bonus of 3.16% of the gross wage taken into account for the reference period, which runs from 1 October of the year prior to its granting to 30 September of the year of its granting.</p>
--	--

	<p>The contribution amount is equal to the wage amount taken into account and multiplied by a coefficient that varies as follows according to the professional competence category:</p> <ol style="list-style-type: none"> 1. category A worker: coefficient: 0.9 2. category B worker: coefficient: 1.2 3. category C worker: coefficient: 1.55 4. category D worker: coefficient: 1.8 5. category E worker: coefficient: 1.9 6. category F worker: coefficient: 2. <p>The second part of the contribution application covers disabled workers with an employment contract who are employed under Article 78 of the Royal Decree of 25 November 1991 regulating unemployment (repealed).</p> <p>Where the undertaking does not employ at least 20% disabled workers with an employment contract and whose professional category is E or F, the administration deducts, from the quarterly contribution granted to the undertaking, EUR 1 061.21 per disabled worker not employed, calculated using the average for the quarter in question.</p> <p>The third part of the contribution application covers disabled people employed under vocational adaptation contracts. They receive a wage paid by the undertaking that consists of:</p> <ol style="list-style-type: none"> 1. an hourly allowance set as follows: <ol style="list-style-type: none"> a) categories A, B, C or D:EUR 0.5207 b) category E:EUR 0.3469
--	---

	<p>c) category F:..... EUR 0.1736</p> <p>These amounts are increased by EUR 0.1736 after 24 months of adaptation, EUR 0.5207 after 36 months of adaptation and EUR 0.8677 after 48 months of adaptation.</p> <p>2. an additional contribution calculated as indicated in Articles 47, 49 and 50 of the Order of 25 February 2000 of the Board of the French Community Commission on individual arrangements for the social and professional integration of disabled people, implemented by the <i>Service bruxellois francophone des personnes handicapées</i>, as amended.</p> <p>The wage is payable for hours actually worked or treated as such.</p> <p>The administration reimburses the undertaking for the additional contribution and the associated social security contributions.</p> <p>The fourth part relating to management staff covers the members of staff defined below, for whom a contribution to the wage and associated social security contributions is granted to the undertaking:</p> <p>1. according to its staff quota:</p> <p>a) a Director;</p> <p>b) one quarter-time assistant manager or management assistant for every 25 units above 100 units;</p> <p>If the undertaking cannot receive a full or partial contribution for a member of staff holding an assistant manager or management assistant position, it can apply for a contribution corresponding to the level 1 administrative staff or administrative manager position for this person.</p>
--	--

	<p>c) one half-time administrative staff member for every 25 units;</p> <p>Within this limit, the undertaking can benefit from a maximum of one administrative manager; If the undertaking cannot receive a full or partial contribution for a member of staff holding an administrative manager position, it can apply for a contribution corresponding to the level 1 administrative staff position for this person.</p> <p>d) one quarter-time psychological/paramedical/social staff member for every 25 units;</p> <p>e) one half-time supervisory staff member for every 5 units;</p> <p>Within a group of 6 full-time equivalent monitor staff benefiting from an intervention, the company can be assisted by a lead supervisor; if the undertaking cannot receive a full or partial contribution for a member of staff holding a lead supervisor position, it can apply for a contribution corresponding to the level 1 lead supervisor position for this person.</p> <p>f) one quarter-time sales staff member or one quarter-time white-collar technical staff member covered by Titles 5 A to 5 G of Annex 3 to this Order or one quarter-time blue-collar and production technical staff member covered by Titles 7 A to 7 C of Annex 3 to this Order for every 25 units;</p> <p>within this limit, the undertaking can benefit from a maximum of one technical manager and one computer graduate; if the undertaking cannot receive a full or partial contribution for a member of staff holding a technical manager or computer graduate position, it can apply for a contribution</p>
--	---

	<p>corresponding to the technical manager or computer graduate position for this person;</p> <p>2. according to the average number of disabled workers who have worked during the quarter in question and who are taken into account in the quota:</p> <p>a) one additional quarter-time supervisory staff member or one additional quarter-time sales staff member or one additional quarter-time white-collar technical staff member covered by Titles 5 A to 5 G of Annex 3 or one additional quarter-time blue-collar and production technical staff member covered by Titles 7 A to 7 C of Annex 3 is granted per group of 10 disabled workers in professional competence category E or F;</p> <p>b) one additional half-time supervisory staff member or one additional half-time sales staff member or one additional half-time white-collar technical staff member covered by Titles 5 A to 5 G of Annex 3 or one additional half-time blue-collar and production technical staff member covered by Titles 7 A to 7 C of Annex 3 is granted per group of 10 disabled workers in professional competence category B, C, D, E or F, whose work is by nature performed outside the undertaking or in direct and permanent contact with the customer;</p> <p>c) one additional full-time supervisory staff member is granted per group of 50 disabled workers in professional competence category B, C, D, E or F, whose work is by nature performed outside the undertaking;</p> <p>d) one quarter-time supervisory staff member is withdrawn per group of five disabled workers in professional competence category A.</p>
--	--

	<p>For disabled workers in professional competence category E or F, the additional staff member provided for under (a) cannot be combined with the additional staff members provided for under (b) and (c).</p> <p>For management staff members, the amount taken into account to calculate the contribution to the wage and social security contributions is the wage scale corresponding to the title of the position accepted by the administration, as specified in Annex 3 to this Order.</p> <p>However, over and above the minimum staffing levels laid down in Articles 24 and 36 and by way of derogation from Article 23(1) of this Order, the undertaking can assign one worker to a position for which he or she does not meet the qualification criteria laid down by Annex 3 to this Order. In this particular case, the undertaking pays the worker at the wage scale corresponding to the position held, whilst the amount taken into account to calculate the contribution to the wage and social security contributions is limited to the wage scale of the highest position corresponding to the worker's qualification.</p> <p>The wage scales are indicated in Annex 4.</p> <p>This percentage is set at 61%.</p> <p>The contribution is calculated in proportion to the working hours and actual benefits, to which the following benefits are added: guaranteed wage in the case of work incapacity, including the first two waiting days deducted in a calendar year, public holidays, holiday days, and an end-of-year bonus of 3.16% from 2010 of the gross wage taken into account for the reference period, which runs from 1 October of the year prior to its</p>
--	--

	<p>granting to 30 September of the year of its granting.</p> <p>Overtime and contractual bonuses and allowances are not taken into account.</p> <p>The following rules are applied to determine the length of service of workers in a position covered by the wage scale:</p> <ul style="list-style-type: none"> - length of service in the same position in the adapted work undertaking sector: <p>the full length of service is used;</p> <ul style="list-style-type: none"> - length of service in another position in the same undertaking: the full length of service is used if the worker is moving from a position covered by the wage scale to another position covered by the wage scale, or half of the length of service capped at 10 years is used if the worker is moved from a position not covered by the wage scale to a position covered by the wage scale; - length of service in the same position outside of the adapted work undertaking sector: the full length of service is used and capped at 10 years; - length of service in a different position outside the adapted work undertaking sector: half of the length of service is used and capped at 10 years. <p>With regard to supervisors, a position where people are supervised is regarded as the same position.</p> <p>Work periods and days treated as such are added together and taken into account as full months and years.</p> <p>Work period means:</p> <ul style="list-style-type: none"> - periods actually worked under an employment contract or staff regulations for public officials or
--	--

	<p>on a self-employed basis; with these provisions also applying to the hard-to-place unemployed and workers recognised as having a primary work incapacity or disability and benefiting from a part-time work authorisation under the coordinated law (Royal Decree of 14 July 1994 coordinating the law on mandatory healthcare insurance and benefits);</p> <p>- days treated as such, defined in Article 24 of the Royal Decree of 28 November 1969, Saturdays, Sundays and recovery days, periods of temporary absence and maternity and parental leave, illness, annual leave, career breaks and time credits, and paid educational leave.</p> <p>No distinction is made between part-time work and full-time work.</p> <p>The fifth part of the contribution application relates to the social security contribution paid quarterly by each undertaking to the '<i>Fonds de sécurité d'existence pour les entreprises de travail adapté agréées par la Commission communautaire française</i>' (Job security fund for adapted work undertakings approved by the French Community Commission)'. </p> <p>The administration grants the undertaking a quarterly contribution, which takes account of the number of disabled workers included in the undertaking's staff quota. The resources allocated to the '<i>Fonds de sécurité d'existence</i>' are EUR 288 649.77.</p> <p>The administration grants the approved adapted work undertaking a subsidy of EUR 2 per day of temporary lay-off if the employer has compensated the worker for that day.</p> <p>The administration makes the payment quarterly based on a supporting document, the model for which is determined by the administration and</p>
--	--

	<p>which the undertaking submits with the quarterly statements.</p> <p>A subsidy is granted annually for an extraordinary bonus paid to each disabled worker employed within the staff quota of adapted work undertakings approved by the French Community Commission. The bonus amount is EUR 49 for a worker employed on a full-time basis. For workers employed on a part-time basis or who have not worked a full year during the period from 1 October of the previous year to 30 September of the year in which the bonus is granted, the bonus amount is calculated in proportion to their work. The Board's contribution to the associated social security contributions is set at an amount corresponding to 38% of the bonus.</p> <p>Infrastructure subsidies</p> <p>The administration grants infrastructure subsidies to undertakings.</p> <p>The expenditure that can be subsidised is the purchase of land, construction of buildings, purchase of buildings, conversion of buildings and purchase of equipment.</p> <p>The amount of the subsidy granted is 60% of the cost excluding value added tax of the investment recognised as necessary by the administration.</p> <p>The purchase cost of equipment is taken into account under the following conditions:</p> <p>1. for each undertaking, a first subsidy ceiling is set at EUR 3 082.71 per disabled worker included in the staff quota, without there being any time limit on using this amount. To determine whether this ceiling has been reached, subsidies granted since the date of approval as a sheltered workshop</p>
--	--

	<p>or adapted work undertaking are taken into account;</p> <p>2. when this first ceiling has been reached, for each undertaking, a second subsidy ceiling is set at EUR 285.19 per disabled worker included in the staff quota, per application year. If the undertaking's application does not reach this amount, it can twice carry forward the balance to the next application year.</p> <p>3 & 4. Day centres and residential centres</p> <p>An annual subsidy is granted to these centres. It includes:</p> <ol style="list-style-type: none"> 1) a subsidy for overheads; 2) a subsidy for personalised costs; 3) a subsidy for the collective transport of disabled people; 4) a subsidy for staff costs. <p>The annual subsidy for overheads granted to these centres is intended to cover overheads, building occupation costs, depreciation costs for buildings owned or leased by the centre, and depreciation costs for furniture and medical and non-medical equipment. The maximum amount per year for day centres is EUR 1 314 multiplied by the approved basic capacity. The maximum amount per year for residential centres is EUR 3 248 multiplied by the approved basic capacity. The approved capacity used to set this maximum amount is the approved basic capacity indicated, at the end of the planning process, in the approval decision adopted by the Board.</p> <p>Subsidy for personalised costs.</p> <p>The annual subsidy for personalised costs granted to these centres is intended to cover the following costs:</p> <ul style="list-style-type: none"> - care;
--	---

	<ul style="list-style-type: none"> - education, re-education and specific activities; - food [including enteral nutrition and the equipment needed for its absorption, as well as food substitutes]; - underwear and clothing; - accompanied or non-accompanied transport of disabled people. <p>The maximum amount per year for day centres is EUR 1 041 multiplied by the approved basic capacity, excluding light care.</p> <p>For day centres hosting children, an additional maximum amount per year of EUR 645 is granted for each child. The maximum amount per year for residential centres is EUR 1 140 multiplied by the approved basic capacity, excluding light care.</p> <p>For residential centres where the disabled people are not enrolled at the day centre, an additional maximum amount per year of EUR 768 is granted for each person.</p> <p>By way of derogation from this paragraph, for disabled people accommodated for short stays or respite care, the fixed subsidy granted is EUR 5 per half-day of care and EUR 15 per night of care.</p> <p>The maximum amount of the subsidy thus calculated is reduced by 4% or 2% if the ratio between the number of disabled people hosted or accommodated on an annual average basis and the approved capacity does not respectively reach 90% or 95%. For residential centres, if the ratio, calculated for the last year but one, between the total number of days of actual presence of disabled people during weekends, holidays and public holidays and the approved capacity, having deducted its part reserved for light care and multiplied it by 180 for residential centres for children or by 138 for residential centres for adults, reaches a rate between 20% and 29%, between 30% and 49%, between 50% and 69% or of 70% or more, they can receive, for the current year, an increase of 15%, 25%,</p>
--	--

	<p>30% or 40% respectively of the subsidy calculated under this article. A residential centre not approved in the previous year can receive an increase of 15% of its subsidy. For the purpose of applying this subparagraph, weekends run from Friday at 19.00 to Monday at 07.00 and public holidays run from the day before at 19.00 to the following day at 07.00. A day of absence is any absence of 24 consecutive hours.</p> <p>An annual subsidy for collective transport costs, set at a maximum of EUR 1.09 (excluding VAT) per kilometre or at a maximum of EUR 3.07 (excluding VAT) per kilometre for an adapted vehicle, is granted to day centres.</p> <p>Subsidy for staff costs.</p> <p>Any subsidy for staff costs covers costs of this nature, although these may not exceed the staffing levels at any time and under any circumstance.</p> <p>The subsidy for staff costs is calculated based on the wage scales indicated in Annex I NM to the NM Order and based on the length of service indicated in Annex IV NM to the NM Order. The wage scales for each position are indicated in Annex II NM to the NM Order. The subsidised positions and specific conditions of access to these positions are indicated in Annex III NM to the NM Order. The residential allowance (<i>allocation Foyer-Résidence</i>), determined according to the principles set out in point 9 of Annex V NM to the NM Order, is added to these wage scales.</p> <p>A capped rate of employer costs determined by the Board is added to the amount thus obtained. This rate of employer costs covers points 2, 3, 4, 5, 6, 7, 8, 10 and 11 of Annex V NM to the NM Order.</p> <p>This subsidy is increased by a maximum of one per cent to cover justified training and supervision costs for subsidised staff.</p>
--	--

	<p>The increase in the rate of employer costs must be justified either by an increase of at least 25% in the proportion of people assessed as category C or by a change in the level of the centre occupation rate during weekends, holidays and public holidays. For centres approved after 1 January 2011, the rate of employer costs corresponds to the average rate of employer costs for the same type of approval. If the new centre hosts or accommodates at least 75% people assessed as category C, it receives the average rate for centres hosting or accommodating at least 75% people assessed as category C.</p> <p>The wage supplement for services provided at night between 20.00 and 06.00, which is taken into account in the subsidy for staff costs, is set at an annual ceiling of 4 545 hours for a centre with a basic approved capacity, excluding light care, of 25 or less and where fewer than 25% of the disabled people are assessed as category C. The subsidy for staff costs is limited to the staff members included in the list of subsidised staff validated by the centre. For this purpose, the administration sends each centre, by 15 February of the following year, a table listing all the subsidised and non-subsidised staff. The centre validates this document by 15 March at the latest.</p> <p>As regards medical staff, the subsidy takes into account:</p> <ul style="list-style-type: none"> * the activities of doctors who have concluded a collaboration agreement with a non-profit association that has at least one centre; * the activities of doctors employed under an employment contract before 1 January 2003; * medical staff who start work after 1 January 2003 and who are subsidised based on an FTE with a working week set at 37 hours according to the following maximum amounts: <ul style="list-style-type: none"> EUR 30.85 for a general practitioner; EUR 40.92 for a specialist doctor.
--	---

	<p>The subsidy takes into account an allowance granted to subsidised managers as follows:</p> <ul style="list-style-type: none"> a) managers with a university degree or similar as at 31 December 2000 receive an allowance of 5% calculated on the basis of their gross annual wage; b) managers without a university degree receive an allowance corresponding to the difference between their wage scale and the wage scale of a manager with a university degree. <p>The subsidy is increased by accounting costs if the accounting staffing level taken into account for the staff costs subsidy is not fully used. In this case, the amount of the additional subsidy is limited to the amount corresponding to the unused staffing level multiplied by an average annual wage based on a length of service of 10 years in the accounting wage scale, including employer costs, taking into account 1 924 hours of work per year. The subsidy is increased by social security secretarial costs or costs of payroll management service providers recognised by the National Social Security Office (<i>Office national de Sécurité sociale</i>) if the administrative team staffing level taken into account for the staff costs subsidy is not fully used.</p> <p>In this case, the amount of the additional subsidy is limited to the amount corresponding to the unused staffing level multiplied by an average annual wage based on a length of service of 10 years in the accounting wage scale, including employer costs, taking into account 1 924 hours of work per year. The subsidy is increased by laundry costs if the technical staffing level taken into account for the staff costs subsidy is not fully used.</p> <p>In this case, the amount of the additional subsidy is limited to the amount corresponding to the unused staffing level multiplied by an average annual wage based on a length of service of</p>
--	---

	<p>10 years in the technical wage scale, including employer costs, taking into account 1 924 hours of work per year. The subsidy is increased by meal preparation costs if the technical staffing level taken into account for the staff costs subsidy is not fully used.</p> <p>In this case, the amount of the additional subsidy is limited to the amount corresponding to the unused staffing level multiplied by an average annual wage based on a length of service of 10 years in the technical wage scale, including employer costs, taking into account 1 924 hours of work per year.</p> <p>5. Day centres for schoolchildren</p> <p>An annual subsidy is granted to these centres. It includes:</p> <ol style="list-style-type: none"> 1) an operating subsidy; 2) a subsidy for the collective transport of disabled people; only during school holidays; pre-school age throughout the year; 3) a subsidy for staff costs. <p>The operating subsidy given to these centres is intended to cover personalised costs, building operation and occupation costs, depreciation costs for buildings owned or leased by the centre, and depreciation costs for furniture and medical and non-medical equipment.</p> <p>The maximum amount per year for centres is EUR 2 227.72 multiplied by the approved basic capacity.</p> <p>As regards centres for children not cared for in an accommodation centre, an additional maximum amount of EUR 310.90 per year is granted for each of them.</p> <p>The subsidy is increased by the cost of medical activities, excluding any services listed in the classification of health services based on compulsory health insurance legislation,</p>
--	---

	<p>provided that the medical staffing level taken into account for the staff costs subsidy is not fully used.</p> <p>In this case, the subsidy will cover these medical activities within the limits of the unused staffing level and according to the maximum hourly amounts below:</p> <ul style="list-style-type: none"> - EUR 37.76 for general practitioners serving in the centre before 1 January 2003; - EUR 24.49 for general practitioners who take up duties in the centre from 1 January 2003; - EUR 50.09 for specialist doctors serving in the centre before 1 January 2003; - EUR 32.49 for general practitioners serving in the centre before 1 January 2003. <p>The subsidy for staff costs is calculated on the basis of the wage scales indicated in Annex I NM to the NM Order and based on the length of service indicated in Annex IV NM to the NM Order. The wage scales for each position are indicated in Annex II NM to the NM Order. The subsidised positions and specific conditions of access to these positions are indicated in Annex III NM to the NM Order. The residential allowance (<i>allocation Foyer-Résidence</i>), determined according to the principles set out in point 9 of Annex V NM to the NM Order, is added to these wage scales. A rate for employer costs, capped at the rate indicated in Annex 3 to this Order, is added to the amount thus obtained.</p> <p>This rate of employer costs covers points 2, 3, 4, 5, 6, 7, 8, 10 and 11 of Annex V NM to the NM Order.</p>
--	--

	<p>This subsidy is increased by a maximum of one per cent to cover justified training and supervision costs for subsidised staff.</p> <p>For centres approved after 1 January 2011, the rate of employer costs corresponds to the average rate of employer costs for day centres for schoolchildren.</p> <p>The subsidy for staff costs is limited to the staff members included in the list of subsidised staff validated by the centre. For this purpose, the administration sends each centre, by 15 February of the following year, a table listing all the subsidised and non-subsidised staff. The centre validates this document by 15 March at the latest.</p> <p>The subsidy takes into account an allowance granted to subsidised managers as follows:</p> <ul style="list-style-type: none"> a) managers with a university degree or similar as at 31 December 2000 receive an allowance of 5% calculated on the basis of their gross annual wage; b) managers without a university degree receive an allowance corresponding to the difference between their wage scale and the wage scale of a manager with a university degree. <p>The subsidy is increased by accounting costs if the accounting staffing level taken into account for the staff costs subsidy is not fully used.</p> <p>In this case, the amount of the additional subsidy is limited to the amount corresponding to the unused staffing level multiplied by an average annual wage based on a length of service of 10 years in the accounting wage scale, including employer costs, taking into account 1 924 hours of work per year. The subsidy is increased by social security secretarial costs or costs of payroll management service providers recognised by the National Social Security Office (<i>Office national de Sécurité sociale</i>) if the administrative team staffing level taken into</p>
--	---

	<p>account for the staff costs subsidy is not fully used.</p> <p>In this case, the amount of the additional subsidy is limited to the amount corresponding to the unused staffing level multiplied by an average annual wage based on a length of service of 10 years in the accounting wage scale, including employer costs, taking into account 1 924 hours of work per year. The subsidy is increased by laundry costs if the technical staffing level taken into account for the staff costs subsidy is not fully used.</p> <p>In this case, the amount of the additional subsidy is limited to the amount corresponding to the unused staffing level multiplied by an average annual wage based on a length of service of 10 years in the technical wage scale, including employer costs, taking into account 1 924 hours of work per year. The subsidy is increased by meal preparation costs if the technical staffing level taken into account for the staff costs subsidy is not fully used.</p> <p>In this case, the amount of the additional subsidy is limited to the amount corresponding to the unused staffing level multiplied by an average annual wage based on a length of service of 10 years in the technical wage scale, including employer costs, taking into account 1 924 hours of work per year.</p> <p>6. Services supporting communication with and interpreting for deaf people</p> <p>Subsidies for staff costs and overheads are granted to interpreting services for deaf people.</p> <p>The annual subsidy for staff costs is limited to the following staffing levels at all times of the year:</p> <p>2.5 full-time equivalents, of which a maximum of 0.5 full-time equivalent for management positions and at least 1 full-time equivalent for</p>
--	--

	<p>interpreting, transliteration and/or captioning positions.</p> <p>The subsidy is based on the wage scales indicated in Annex I NM and includes employer costs and other benefits indicated in Annex V NM, based on the length of service indicated in Annex IV NM. The wage scales for each position are indicated in Annex I NM. The subsidised positions and specific conditions of access to these positions are indicated in Annex III NM.</p> <p>This subsidy is increased by a maximum of one per cent of the calculated subsidy for staff costs to cover justified staff training costs.</p> <p>The subsidy for overheads and service provider training costs is limited to EUR 75 000.</p> <p>7. Services supporting socially beneficial activities (from January 2018)</p> <p>Subsidies for staff costs and overheads are granted to services supporting socially beneficial activities.</p> <p>The subsidy for staff costs covers the staff wage bill at the rate of: 1.5 full-time equivalents, of which a maximum of 0.25 full-time equivalent for management positions, with the balance relating to support positions.</p> <p>The subsidy is based on the wage scales indicated in Annex I NM and includes employer costs and other benefits indicated in Annex V NM, based on the length of service indicated in Annex IV NM. The wage scales for each position are indicated in Annex I NM. The subsidised positions and specific conditions of access to these positions are indicated in Annex III NM.</p>
--	--

	<p>This subsidy is increased by a maximum of one per cent of the calculated subsidy to cover justified staff training costs.</p> <p>The operating costs subsidy is limited to EUR 14 000.00.</p> <p>8. Special and innovative projects</p> <p>Compensation granted per call for projects.</p> <p>Contribution to staff and operating costs based on a supporting budget. The decision to approve and subsidise special projects approved for a maximum of five years indicates the subsidised staff team, in terms of number and position, in accordance with the NM Order, the maximum annual amount of subsidised overheads and the eligible costs.</p> <p>9. Family care services</p> <p>Subsidies for staff costs and overheads are granted to family care services.</p> <p>The subsidy for staff costs covers the staff wage bill at the rate of: 1 to 2.5 full-time equivalents (depending on the approved category).</p> <p>The subsidy is based on the wage scales indicated in Annex I NM and includes employer costs and other benefits indicated in Annex V NM, based on the length of service indicated in Annex IV NM. The wage scales for each position are indicated in Annex I NM. The subsidised positions and specific conditions of access to these positions are indicated in Annex III NM.</p> <p>This subsidy is increased by a maximum of one per cent of the calculated subsidy to cover justified staff training costs.</p>
--	--

	<p>The subsidy for operating costs is EUR 6 000.00 to EUR 42 000.00 (depending on the approved category).</p> <p>10. Inclusive leisure services</p> <p>Subsidies for staff costs and overheads are granted to inclusive leisure services.</p> <p>The subsidy for staff costs covers the staff wage bill at the rate of: 0.5 to 1 full-time equivalents (depending on the approved category).</p> <p>The subsidy is based on the wage scales indicated in Annex I NM and includes employer costs and other benefits indicated in Annex V NM, based on the length of service indicated in Annex IV NM. The wage scales for each position are indicated in Annex I NM. The subsidised positions and specific conditions of access to these positions are indicated in Annex III NM.</p> <p>This subsidy is increased by a maximum of one per cent of the calculated subsidy to cover justified staff training costs.</p> <p>The subsidy for operating costs is EUR 6 500.00 to EUR 12 000.00 (depending on the approved category).</p> <p>11. Participation services through collective activities — PACT</p> <p>Subsidies for staff costs, overheads and volunteer allowances are granted to the participation service through collective activities (PACT).</p> <p>The annual subsidy for staff costs is limited to the following staffing levels at all times of the year, based on the approved unit capacity for the service:</p> <ul style="list-style-type: none"> - Manager: 0.025 full time equivalent; - administrative and accounting staff: 0.025 full-time equivalent, from among the
--	---

	<p>following: management secretary /assistant, accountant, accounting assistant or administrative assistant;</p> <ul style="list-style-type: none"> - paramedical, educational and technical staff: 0.2 full-time equivalent, from among the following: paramedical positions, class 1, 2 or 3 childcare workers, or class 1, 2 or 3 technicians. <p>The number of subsidised jobs for workers holding a master's degree cannot exceed 0.5 full-time equivalent.</p> <p>The subsidy covers the staff costs incurred. It is limited to the calculation made based on the wage scales indicated in Annex I NM to the NM Order (non-market) and includes employer costs and other benefits indicated in Annex V NM to the NM Order, based on the length of service indicated in Annex IV NM to the NM Order.</p> <p>The wage scales for each position are indicated in Annex II NM to the NM Order.</p> <p>A subsidy equivalent to a maximum of one per cent of the subsidy for staff costs is granted to cover justified staff training costs.</p> <p>The annual subsidy for overheads is limited to EUR 10 000.00 plus an amount of EUR 200.00 per unit of the approved capacity of the service.</p> <p>The annual subsidy for voluntary service allowances is the sum of any allowances paid to persons with disabilities.</p> <p>12. Vocational training support services</p> <p>Subsidies for staff costs and overheads are granted to inclusive leisure services.</p> <p>The subsidy for staff costs covers the staff wage bill at the rate of: 0.5 to 2 full-time equivalents (depending on the approved category).</p>
--	---

	<p>The subsidy is based on the wage scales indicated in Annex I NM and includes employer costs and other benefits indicated in Annex V NM, based on the length of service indicated in Annex IV NM. The wage scales for each position are indicated in Annex I NM. The subsidised positions and specific conditions of access to these positions are indicated in Annex III NM.</p> <p>This subsidy is increased by a maximum of one per cent of the calculated subsidy to cover justified staff training costs.</p> <p>The subsidy for operating costs is EUR 2 000.00 to EUR 14 000.00 (depending on the approved category).</p>
<p>Arrangements for avoiding and repaying any overcompensation</p>	<p>1. Support services</p> <p>The service must inform the PHARE Service (service for disabled people) within 15 days of any change to the approval and subsidy conditions and of any staff change.</p> <p>For each staff member, within 15 days of employment, the service must send the PHARE Service a copy of the employment contract and any evidence that the staff member meets the regulatory conditions with regard to position and length of service. Only information required to calculate the subsidies is sent to the PHARE Service.</p> <p>In terms of keeping accounts, the accounting year corresponds to the calendar year.</p> <p>By 30 June of the year following the year in question, the service must send the PHARE Service its accounts and balance sheet, as filed with the <i>Banque Nationale de Belgique</i> or the commercial court registry. In the latter case, evidence of filing is enclosed.</p>

	<p>By 30 June of the year following the year in question, the service must send the PHARE Service the supporting dossier for the subsidies.</p> <p>Approved services receive an annual subsidy.</p> <p>This is paid in the form of monthly advances no later than the final working day of the month prior to the month for which they are granted.</p> <p>The balance is paid after the SPFB (<i>Service Public Francophone Bruxellois</i> - Brussels French-speaking Public Service) has examined the supporting dossier.</p> <p>The monthly advance takes into account the approved category referred to in Article 25, approved specific actions referred to in Article 5, agreed tasks referred to in Article 6, and staff changes covered by Article 18 in terms of number, position, length of service and work within the limits laid down in Section 2 of this Chapter.</p> <p>If the time-limit set in the second paragraph of Article 48 is not met, the calculation of the monthly advances will take into account staff changes only from the first day of the month following receipt of the documents.</p> <p>Where the SPFB finds that the monthly advances paid to the service exceed the annual subsidies due, it recovers the overcompensation over a maximum period of 12 months, and after consulting the service's management, by offsetting the repayment against the next monthly advances to be paid for the current year.</p> <p>Exceptionally, at the service's request, this repayment may be subject to terms and time-limits. The SPFB draws up a repayment plan.</p> <p>Where the SPFB finds that the overcompensation obtained by the service stems from false information being knowingly provided by the</p>
--	--

	<p>service or serious management errors, the SPFB recovers the undue payment in one go.</p> <p>In this case, the SPFB sends the Board Member a proposal to open proceedings for the withdrawal of approval.</p> <p>2. Adapted work undertakings</p> <p>- The centre must inform the administration within 15 days of any change to the approval and subsidy conditions of the centre and, in particular, of any staff change.</p> <p>For each staff member employed during the period of approval, the centre must send the administration a copy of the employment contract and any evidence that the staff member meets the regulatory conditions with regard to position and length of service.</p> <p>Quarterly statements must be submitted to the administration by the undertaking. These statements include a declaration detailing, for each month in the quarter in question and for each worker, the type of contract, number of hours worked and treated as such, hourly wage, amount of social security contributions paid, and any information requested by the administration, which determines the model of the declaration and how the information is to be submitted.</p> <p>These statements must be submitted before the end of the second month following the quarter for which the contribution is requested.</p> <p>Where the administration finds that the monthly advances paid to the undertaking exceed the quarterly subsidies due, it recovers the overcompensation by offsetting the repayment against the monthly advances to be paid for the current quarter.</p>
--	--

	<p>The decision to grant a subsidy for immovable property ceases to have effect automatically and as a matter of law if the work is not started or the purchases are not made before the end of the quarter following the quarter chosen for the work to start and the purchases to be made. In addition, the undertaking must employ the number of disabled workers stipulated in the staff quota within one year of the occupation of the buildings purchased, constructed or converted for which a subsidy has been granted.</p> <p>If land is purchased, the undertaking must start the construction work within two years of its purchase.</p> <p>If the requirements of the above two paragraphs are not met, the undertaking must repay the subsidy that it was granted.</p> <p>For immovable property, the supporting documents enabling payment of the subsidies must be submitted to the administration within six months of either the date of notification of the decision where the work has already been carried out or the purchases have already made on that date, or the date of the work or date of the purchase invoices where the work or purchases postdate the notification of the decision.</p> <p>As regards equipment, if the use of the subsidy is changed before the end of the depreciation period, the undertaking must repay a sum equal to the undepreciated part of the subsidy, without this sum being less than 60% of the sale price. If the equipment is sold after the end of the depreciation period, the undertaking must repay 40% of the sale price. However, if the undertaking reinvests the sale amount in an item of equipment required by the undertaking, it need not make the repayment.</p>
--	---

	<p>As regards immovable property, if the use of the subsidy is changed, the administration determines the market value of the property. The undertaking must then repay the part of the market value corresponding to the percentage by which the administration subsidised the property. If the undertaking reinvests the sale amount in an immovable property with the same use, it must repay the capital gain only up to the sale amount not reinvested.</p> <p>3 & 4. Day centres including day centres for school children and accommodation centres</p> <p>Each approved centre must keep its accounts in accordance with the plans, accounts and balance sheets adopted by the Board.</p> <p>The accounting year corresponds to the calendar year. The cost accounts for each approval and the balance sheet of the non-profit association must be submitted to the administration no later than 30 June of the year following the accounting year, accompanied by the reports of a company auditor.</p> <p>- The centre must inform the administration within 15 days of any change to the approval and subsidy conditions of the centre and, in particular, of any staff change.</p> <p>For each staff member employed during the period of approval, the centre must send the administration a copy of the employment contract and any evidence that the staff member meets the regulatory conditions with regard to position and length of service.</p> <p>The annual subsidy is paid to the centres in the form of monthly advances no later than the final working day of the month prior to the month for which they are granted and the balance is paid based on the provisions of this Chapter.</p>
--	---

	<p>The monthly advance takes into account the approval granted, the staffing levels that the centre can claim and the changes in staff employed in terms of number, qualification, wage scale and length of service.</p> <p>A supporting dossier for calculating the annual subsidy must be submitted by the centre to the administration by 30 June following the calendar year for which the subsidy was requested.</p> <p>The dossier must be produced in accordance with the model determined by the administration and must include at least the following supporting documents: With regard to the subsidy for overheads and the subsidy for personalised costs:</p> <ul style="list-style-type: none"> - general ledger of income and expenditure; - general balance sheet; - depreciation tables for fixed assets and capital grants and subsidies; - number of people supported or accommodated on an average annual basis. <p>With regard to collective transport:</p> <ul style="list-style-type: none"> - invoices accompanied by supporting documents, which comprehensively detail the dates of transport services provided, the number of disabled people transported, their names and addresses, and the number of kilometres travelled. <p>With regard to the subsidy for staff costs:</p> <ul style="list-style-type: none"> * individual accounts of all workers, broken down by approval and by position; * details of the double holiday pay of all workers, broken down by approval and by position, for the
--	---

	<p>year following the year for which the annual subsidy is being calculated;</p> <ul style="list-style-type: none"> * C 450bis certificate issued by the ONSS (National Social Security Office); * certificate proving payment of payroll tax; * final statutory insurance statement; * for each workplace accident having resulted in compensation, photocopy of the declaration submitted by the centre; * statement of amounts paid in compensation following a workplace accident; * final occupational health statement; * list of beneficiaries of the additional early retirement benefit, accompanied by the individual account of each person concerned. <p>With regard to the financial contributions of disabled people, the supporting documents determined by the administration.</p> <p>If the number of people supported or accommodated on an average annual basis exceeds the approved basic capacity, the financial contributions deducted from the subsidy granted to the centre are reduced in proportion to the approved basic capacity.</p> <p>Where the administration finds that, for a given year, the monthly advances paid to a centre exceed the annual subsidy due, it recovers the overcompensation over a maximum period of 12 months, by offsetting the repayment against the monthly advances to be paid for the current year.</p>
--	--

	<p>5. Services supporting communication with and interpreting for deaf people</p> <p>The service must inform the PHARE Service (service for disabled people) within 15 days of any change to the approval and subsidy conditions and of any staff change.</p> <p>For each staff member, within 15 days of employment, the service must send the PHARE Service a copy of the employment contract and any evidence that the staff member meets the regulatory conditions with regard to position and length of service. Only information required to calculate the subsidies is sent to the PHARE Service.</p> <p>In terms of keeping accounts, the accounting year corresponds to the calendar year.</p> <p>By 30 June of the year following the year in question, the service must send the PHARE Service its accounts and balance sheet, as filed with the <i>Banque Nationale de Belgique</i> or the commercial court registry. In the latter case, evidence of filing is enclosed.</p> <p>By 30 June of the year following the year in question, the service must send the PHARE Service the supporting dossier for the subsidies.</p> <p>The service costs are subsidised by covering the staff costs and overheads for the tasks described in Articles 3 and 4 within the limits laid down in this Chapter.</p> <p>Approved services receive an annual subsidy.</p> <p>This is paid in the form of monthly advances no later than the final working day of the month prior to the month for which they are granted.</p> <p>The balance is paid after the SPFB (<i>Service Public Francophone Bruxellois</i> - Brussels French-speaking Public Service) has examined the supporting dossier.</p> <p>The monthly advance takes into account staff changes covered by Article 15 in terms of</p>
--	---

	<p>number, position, length of service and work within the limits laid down in Section 2 of this Chapter.</p> <p>If the time-limit set in the second paragraph of Article 35 is not met, the calculation of the monthly advances will take into account staff changes only from the first day of the month following receipt of the documents.</p> <p>Where the SPFB finds that the monthly advances paid to the service exceed the annual subsidies due, it recovers the overcompensation over a maximum period of 12 months, and after consulting the service's management, by offsetting the repayment against the next monthly advances to be paid for the current year.</p> <p>Exceptionally, at the service's request, this repayment may be subject to terms and time-limits. The SPFB draws up a repayment plan.</p> <p>Where the SPFB finds that the overcompensation obtained by the service stems from false information being knowingly provided by the service or serious management errors, the SPFB recovers the undue payment in one go.</p> <p>In this case, the SPFB sends the Board Member a proposal to open proceedings for the withdrawal of approval.</p> <p>6. Special and innovative projects</p> <p>1. Short-term special projects:</p> <p>Submission of supporting documents at the end of the activity.</p> <p>Audit of supporting documents submitted.</p> <p>On-the-spot inspection and audit.</p> <p>Repayment of overcompensation based on the accepted supporting dossier.</p> <p>2. Innovative projects:</p>
--	---

	<p>Ibid.</p> <p>3. Approved special projects:</p> <p>The service must inform the PHARE Service within 15 days of any change to the approval and subsidy conditions. For each staff member, within 15 days of employment, the service must send the PHARE Service a copy of the employment contract and any evidence that the staff member meets the regulatory conditions with regard to position and length of service.</p> <p>By 31 May of the year following the year in question, the service must send the PHARE Service the supporting dossier for the subsidies.</p> <p>Approved services receive an annual subsidy.</p> <p>This is paid in the form of monthly advances no later than the final working day of the month prior to the month for which they are granted.</p> <p>The balance is paid after the SPFB (<i>Service Public Francophone Bruxellois</i> - Brussels French-speaking Public Service) has examined the supporting dossier.</p> <p>7. Family care services</p> <p>The service must inform the PHARE Service (service for disabled people) within 15 days of any change to the approval and subsidy conditions and of any staff change.</p> <p>For each staff member, within 15 days of employment, the service must send the PHARE Service a copy of the employment contract and any evidence that the staff member meets the regulatory conditions with regard to position and length of service. Only information required to calculate the subsidies is sent to the PHARE Service.</p> <p>In terms of keeping accounts, the accounting year corresponds to the calendar year.</p>
--	---

	<p>By 30 June of the year following the year in question, the service must send the PHARE Service its accounts and balance sheet, as filed with the <i>Banque Nationale de Belgique</i> or the commercial court registry. In the latter case, evidence of filing is enclosed.</p> <p>By 30 June of the year following the year in question, the service must send the PHARE Service the supporting dossier for the subsidies.</p> <p>Approved services receive an annual subsidy.</p> <p>This is paid in the form of monthly advances no later than the final working day of the month prior to the month for which they are granted.</p> <p>The balance is paid after the SPFB has examined the supporting dossier.</p> <p>The monthly advances take into account the approved category and changes in staff in terms of number, position, seniority and performance.</p> <p>If the time-limit set in Article 34 is not met, the calculation of the monthly advances will take into account staff changes only from the first day of the month following receipt of the documents.</p> <p>Where the SPFB finds that the monthly advances paid to the service exceed the annual subsidies due, it recovers the overcompensation over a maximum period of 12 months, and after consulting the service's management, by offsetting the repayment against the next monthly advances to be paid for the current year.</p> <p>Exceptionally, at the service's request, this repayment may be subject to terms and time-limits. The SPFB draws up a repayment plan.</p> <p>Where the SPFB finds that the overcompensation obtained by the service stems from false information being knowingly provided by the service or serious management errors, the SPFB recovers the undue payment in one go.</p>
--	---

	<p>In this case, the SPFB sends the Board Member a proposal to open proceedings for the withdrawal of approval.</p> <p>8. Inclusive leisure services</p> <p>The service must inform the PHARE Service (service for disabled people) within 15 days of any change to the approval and subsidy conditions and of any staff change.</p> <p>For each staff member, within 15 days of employment, the service must send the PHARE Service a copy of the employment contract and any evidence that the staff member meets the regulatory conditions with regard to position and length of service. Only information required to calculate the subsidies is sent to the PHARE Service.</p> <p>In terms of keeping accounts, the accounting year corresponds to the calendar year.</p> <p>By 30 June of the year following the year in question, the service must send the PHARE Service its accounts and balance sheet, as filed with the <i>Banque Nationale de Belgique</i> or the commercial court registry. In the latter case, evidence of filing is enclosed.</p> <p>By 30 June of the year following the year in question, the service must send the PHARE Service the supporting dossier for the subsidies.</p> <p>Approved services receive an annual subsidy.</p> <p>This is paid in the form of monthly advances no later than the final working day of the month prior to the month for which they are granted.</p> <p>The balance is paid after the SPFB has examined the supporting dossier.</p> <p>The monthly advances take into account the approved category and changes in staff in terms of number, position, seniority and performance.</p>
--	--

	<p>If the time-limit set in Article 35 is not met, the calculation of the monthly advances will take into account staff changes only from the first day of the month following receipt of the documents.</p> <p>Where the SPFB finds that the monthly advances paid to the service exceed the annual subsidies due, it recovers the overcompensation over a maximum period of 12 months, and after consulting the service's management, by offsetting the repayment against the next monthly advances to be paid for the current year.</p> <p>Exceptionally, at the service's request, this repayment may be subject to terms and time-limits. The SPFB draws up a repayment plan.</p> <p>Where the SPFB finds that the overcompensation obtained by the service stems from false information being knowingly provided by the service or serious management errors, the SPFB recovers the undue payment in one go.</p> <p>In this case, the SPFB sends the Board Member a proposal to open proceedings for the withdrawal of approval.</p> <p>9. Participation services through collective activities — PACT</p> <p>The service must inform the PHARE Service (service for disabled people) within 15 days of any change to the approval and subsidy conditions and of any staff change.</p> <p>For each staff member, within 15 days of employment, the service must send the PHARE Service a copy of the employment contract and any evidence that the staff member meets the regulatory conditions with regard to position and length of service. Only information required to calculate the subsidies is sent to the PHARE Service.</p>
--	--

	<p>In terms of keeping accounts, the accounting year corresponds to the calendar year.</p> <p>By 30 June of the year following the year in question, the service must send the PHARE Service its accounts and balance sheet, as filed with the <i>Banque Nationale de Belgique</i> or the commercial court registry. In the latter case, evidence of filing is enclosed.</p> <p>By 30 June of the year following the year in question, the service must send the PHARE Service the supporting dossier for the subsidies.</p> <p>Approved services receive an annual subsidy.</p> <p>This is paid in the form of monthly advances no later than the final working day of the month prior to the month for which they are granted.</p> <p>The balance is paid after the SPFB has examined the supporting dossier.</p> <p>The monthly advances take into account the approved capacity and changes in staff in terms of number, position, seniority and performance.</p> <p>If the time-limit set in Article 33 is not met, the calculation of the monthly advances will take into account staff changes only from the first day of the month following receipt of the documents.</p> <p>Where the SPFB finds that the monthly advances paid to the service exceed the annual subsidies due, it recovers the overcompensation over a maximum period of 12 months, and after consulting the service's management, by offsetting the repayment against the next monthly advances to be paid for the current year.</p> <p>Exceptionally, at the service's request, this repayment may be subject to terms and time-limits. The SPFB draws up a repayment plan.</p> <p>Where the SPFB finds that the overcompensation obtained by the service stems from false information being knowingly provided by the</p>
--	---

	<p>service or serious management errors, the SPFB recovers the undue payment in one go.</p> <p>In this case, the SPFB sends the Board Member a proposal to open proceedings for the withdrawal of approval.</p> <p>10. Vocational training support services</p> <p>The service must inform the PHARE Service (service for disabled people) within 15 days of any change to the approval and subsidy conditions and of any staff change.</p> <p>For each staff member, within 15 days of employment, the service must send the PHARE Service a copy of the employment contract and any evidence that the staff member meets the regulatory conditions with regard to position and length of service. Only information required to calculate the subsidies is sent to the PHARE Service.</p> <p>In terms of keeping accounts, the accounting year corresponds to the calendar year.</p> <p>By 30 June of the year following the year in question, the service must send the PHARE Service its accounts and balance sheet, as filed with the <i>Banque Nationale de Belgique</i> or the commercial court registry. In the latter case, evidence of filing is enclosed.</p> <p>By 30 June of the year following the year in question, the service must send the PHARE Service the supporting dossier for the subsidies.</p> <p>Approved services receive an annual subsidy.</p> <p>This is paid in the form of monthly advances no later than the final working day of the month prior to the month for which they are granted.</p> <p>The balance is paid after the SPFB has examined the supporting dossier.</p>
--	---

	<p>The monthly advances take into account the approved category and changes in staff in terms of number, position, seniority and performance.</p> <p>If the time-limit set in Article 35 is not met, the calculation of the monthly advances will take into account staff changes only from the first day of the month following receipt of the documents.</p> <p>Where the SPFB finds that the monthly advances paid to the service exceed the annual subsidies due, it recovers the overcompensation over a maximum period of 12 months, and after consulting the service's management, by offsetting the repayment against the next monthly advances to be paid for the current year.</p> <p>Exceptionally, at the service's request, this repayment may be subject to terms and time-limits. The SPFB draws up a repayment plan.</p> <p>Where the SPFB finds that the overcompensation obtained by the service stems from false information being knowingly provided by the service or serious management errors, the SPFB recovers the undue payment in one go.</p> <p>In this case, the SPFB sends the Board Member a proposal to open proceedings for the withdrawal of approval.</p>
Amount of aid granted	
Total amount of aid granted (in millions EUR) A+B+C	
2018	2019
A. Total amount of aid granted (in millions EUR) paid by national central authorities	
2018	2019

B. Total amount of aid granted (in millions EUR) paid by regional authorities		
Type of services	2018	2019
Support services	7.3 (7 300 000)	7.802 (7 802 000)
Adapted work undertakings	28.206 (28 206 000)	28.782 (28 782 000)
Services supporting communication with and interpreting for deaf people	0.207 (207 000)	0.211 (211 000)
Services supporting socially beneficial activities:	0.098 (98 000)	0.159 (159 000)
Day centres and residential centres	75.902 (75 902 000)	77.868 (77 868 000)
Day centres for schoolchildren	28.451 (28 451 000)	29.919 (28 919 000)
Special and innovative projects	2.565 (2 565 000)	2.546 (2 546 000)
Family care services	0.202 (202 000)	0.419 (419 000)
Inclusive leisure services	-	0.036 (36 000)
Participation services through collective activities — PACT	-	0.096 (96 000)
Vocational training support services	-	0.247 (247 000)
C. Total amount of aid granted (in millions EUR) paid by local authorities		
2018	2019	
Share of expenditure per aid instrument (direct subsidy, guarantees, etc.) (if available)		
2018	2019	
Additional quantitative information (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings)		
2018	2019	

2. DIFFICULTIES WITH THE APPLICATION OF THE SGEI DECISION OR SGEI FRAMEWORK

Support services have been included within SGEI because there is a financial contribution, albeit symbolic (EUR 1.70 to EUR 17.00 per month).

Day centres, residential centres and day centres for schoolchildren have been included within SGEI because there is a financial contribution connected with the social situation of beneficiaries.

The amounts indicated correspond to the subsidies granted by PHARE and constitute almost all their income.

3. COMPLAINTS BY THIRD PARTIES

For the adapted work enterprises sector (ETA)

On 14 September 2017, a complaint was lodged with the European Commission by the members of the General Union of the Belgian Cleaning Sector (UGBN — ABSU) and the Belgian Federation of Landscape Entrepreneurs (FBEP — BFG) concerning so-called ‘social economy’ undertakings, including undertakings for integration and adapted work in Wallonia and Brussels and for protected social places of work in Flanders.

The complaint is very broad as it covers all the aid measures provided for in Belgium (at federal, regional and Community levels) to promote the social economy, in particular in relation to taxation, social security contributions, contributions to wages, etc.

The European Commission has not yet delivered its conclusions.

4. MISCELLANEOUS QUESTIONS

None.

FRENCH COMMUNITY COMMISSION SHEET

CATEGORY	Social services
SECTOR	Childcare

1. DESCRIPTION OF THE APPLICATION OF THE SGEI DECISION AND THE SGEI FRAMEWORK AND AMOUNTS GRANTED

Legal basis in 2018 and 2019:

18 July 2013. Decree of the French Community Commission on supporting childcare, as amended.

8 December 2016. Order No 2016/854 of the Board of the French Community Commission laying down criteria and methods for granting subsidies to support childcare.

Description of how the respective services are organised	
<p>Type of services in the respective sector defined as SGEI.</p> <p>Contents of the services entrusted as SGEI.</p>	<p>1. Infrastructure subsidies: granting of subsidies for the purchase or construction of buildings in order to set up crèches, parent-based crèches, nurseries, municipal childcare homes and specialised care services, which fall solely within the French Community due to their monolingual French-speaking organisation, and also for the extension, conversion, major repair, equipment and initial furnishing of such buildings.</p> <p>2. The ASBL (non-profit association) FRAJE (<i>Centre de Formation permanente et de Recherche dans les milieux d'Accueil du Jeune Enfant</i>) (Centre for continuing training and</p>

	<p>research in the childcare sector), which aims to improve the training of childcare professionals.</p> <p>3. Initiatives</p> <p>Support for actions aimed at promoting, improving, assessing and maintaining childcare in the Brussels Region.</p>
Forms of entrustment	<p>1. Infrastructure subsidies</p> <p>The procedure for granting subsidies for the purchase of buildings consists of two stages:</p> <ul style="list-style-type: none"> a) an agreement in principle; b) a final decision to grant the subsidy. <p>The procedure for granting subsidies for the construction, extension, adaptation, renovation or major repair of buildings consists of five stages:</p> <ul style="list-style-type: none"> 1. an agreement in principle; 2. a preliminary design; 3. a design; 4. a final decision to grant the subsidy; 5. a final work statement. <p>The procedure for granting subsidies for equipment and furnishing consists of four stages:</p> <ul style="list-style-type: none"> 1. an agreement in principle; 2. a design; 3. a final decision to grant the subsidy; 4. a final supply statement. <p>2. Fraje</p> <p>Subsidy order.</p> <p>Agreement of 22 July 1999 between COCOF and Fraje.</p>

	3. Initiatives Subsidy order.
Duration of the entrustment	1. Infrastructure subsidies: Duration of the work or duration of the acquisition in the case of a building purchase. 2. Fraje The agreement is valid for one year and is renewable tacitly. 3. Initiatives Maximum of one year, renewable.
Exclusive or special rights assigned	Rules laid down by the decrees of the Wallonia-Brussels Federation (ONE – (Birth and Childhood Agency)).
Compensation mechanism as regards the respective services, including aid instrument used. Methodology used to determine the compensation	1. Infrastructure subsidies: The contribution rate is set at 60% of the building purchase price or works, supply or services contract, provided that this amount does not exceed the maximum set by the Board. However, a higher contribution rate, set by the Board, may be granted based on the following criteria: a) safety of the childcare facilities; b) lack of financial contributions from parents; c) socio-economic situation in the location of childcare facilities; d) integration of the childcare facility within an educational establishment;

	<p>e) contribution of the childcare facility to a set of social services;</p> <p>f) acceptance of disabled children by the childcare facility;</p> <p>g) acceptance of children from vulnerable families.</p> <p>For the building purchase, the subsidy amount is calculated based on the purchase price plus registration fees and notarial charges, provided, however, that this purchase price does not exceed the market value, as estimated by the Property Purchase Committee or by the Receiver of Registration Fees, or the maximum amount eligible for subsidy. The subsidy is calculated based on the lowest of these three values plus the registration fees and notarial charges reduced in proportion to the maximum amount used for the calculation.</p> <p>For works or supplies, the applicant must use a public procurement procedure.</p> <p>2. Fraje</p> <p>Contribution to the operating costs based on a supporting budget and indirect aid (provision of premises).</p> <p>3. Initiatives</p> <p>Contribution to operating costs based on a supporting budget.</p>
Arrangements for avoiding and repaying any overcompensation	<p>1. Infrastructure subsidies:</p> <p>The applicant:</p> <p>1. cannot change the use of the buildings during the depreciation period set in Article 7, without prior authorisation from the Board;</p>

	<p>2. cannot sell, without prior authorisation from the Board, the building whose construction or purchase was subsidised and must repay, if this building is sold before the end of the depreciation periods set in Article 7, the undepreciated part of the subsidy amount, plus 50% of the capital gain that may have been made on the part of the building that was subsidised;</p> <p>3. cannot sell, without prior authorisation from the Board, the building whose renovation or adaptation was subsidised and must repay, if this building is sold before the end of the depreciation period set in Article 7, the undepreciated part of the subsidy amount;</p> <p>4. must maintain the social accessibility referred to in Article 2(1) until the end of the depreciation period set in Article 7. Failing that, the applicant must repay the undepreciated part of the subsidy amount.</p> <p>2. Fraje and Initiatives</p> <p>Submission of an activity report and supporting documents at the end of the activity marking completion of the projects identified in the order granting the subsidy.</p> <p>On-the-spot inspection and audit of evidence and documents by administration officials appointed by the Board.</p> <p>Repayment of overcompensation based on eligible supporting documents.</p>
Amount of aid granted 2018 and 2019	
Total amount of aid granted	<p>1. Infrastructure subsidies:</p> <p>Public sector:</p> <p>Paid in 2018: EUR 0.00</p> <p>Paid in 2019: EUR 0.00</p> <p>Private sector:</p>

	<p>Paid in 2018: EUR 0.00</p> <p>Paid in 2019: EUR 0.00</p> <p>2. Fraje</p> <p>In 2018: EUR 168 000.00 committed + indirect aid (provision of premises)</p> <p>In 2019: EUR 176 000.00 committed + indirect aid (provision of premises)</p> <p>3. Initiatives</p> <p>In 2018: EUR 188 000.00 committed</p> <p>In 2019: EUR 206 500.00 committed</p>
Additional quantitative information	

2. DIFFICULTIES WITH THE APPLICATION OF THE SGEI DECISION OR SGEI FRAMEWORK

a) Conceptual difficulties

- The SNEGI and SGEI concepts, as defined by the European Commission, suffer from a lack of terminological clarity.
- The flexibility that the Member States are allowed by the European Commission in defining general interest tasks, which is at the discretion of the subsidising authorities, creates legal uncertainty.
- It is difficult to precisely identify when remuneration forms an economic consideration for the service provided.
- It is difficult to determine when a given market exists, which is characterised by the interaction of supply and demand.
- In the absence of complaints, it is difficult to determine whether calls for proposals that are selective by nature may also lead to distortions of competition.
- The concept of ‘general interest task’ is often confused with a series of specific activities to be carried out.

b) Methodological difficulties

- It is difficult to differentiate between SNEGI, SGEI or SSGI activities within an undertaking.
- An undertaking pursuing the same object can receive public aid from different levels of government. It is sometimes complicated to identify whether these activities come under the same general interest task.

- Where one level of government assigns a general interest task through an entrustment and grants public aid, another level of government may fund activities through a call for proposals.
- For some undertakings, one level of government grants approval, but not public aid. This distribution of responsibility by level of government complicates the application of the SGEI Decision.

c) Specific analysis difficulties

- A financial contribution threshold needs to be defined so that it can be decided whether or not an activity is economic (subscriptions, contributions to costs, minimum acceptable contributions).
- Information on public aid granted to undertakings situated in one region is not being regularly exchanged between the different levels of government (need to carry out analysis based on balance sheets).
- It is difficult to identify in balance sheets whether the total amount of public aid has been granted to one SGEI or several SGEI (which results in the public aid received being combined).
- It is difficult to identify in balance sheets the amounts for an SNEGI (where its funding is not regarded as falling under de minimis aid) and those covered by a de minimis regulation.
- It is difficult to identify and weight in financial terms aid in kind and indirect financing received by undertakings (provision of premises, staff, equipment).

3. COMPLAINTS BY THIRD PARTIES

None.

4. MISCELLANEOUS QUESTIONS

None.

FRENCH COMMUNITY COMMISSION SHEET

CATEGORY	Social services
SECTOR	Social inclusion of vulnerable groups
SUB-SECTOR	Social cohesion

1. DESCRIPTION OF THE APPLICATION OF THE SGEI DECISION AND THE SGEI FRAMEWORK AND AMOUNTS GRANTED

Legal basis:

15 May 2004 – Decree on social cohesion (consolidated version updated on 13 February 2009).

26 May 2005: Order No 2005/9 of the Board of COCOF implementing the COCOF Decree of 13 May 2004 on social cohesion.

Description of how the respective services are organised	
<p>Type of services in the respective sector defined as SGEI.</p> <p>Contents of the services entrusted as SGEI.</p>	<p>1. Municipal social cohesion contract: 13 municipal contracts with 197 (2018) and 195 (2019) projects.</p> <p>The Board offers municipalities in the ‘Area for Reinforced Development of Housing and Renewal’ the opportunity to negotiate and sign a municipal social cohesion contract tackling one of the following priorities for the 2016-2020 five-year period:</p> <ol style="list-style-type: none"> 1. Support and accompaniment of schooling. 2. Learning and appropriation of the French language as an active citizen. 3. Intercultural citizenship. 4 ‘Living together’. <p>The actions carried out must also help to develop the cultural mix, gender mix, age mix and social mix.</p> <p>To ensure that these contracts are duly performed, the Board can fund a local coordination unit, which is responsible, in conjunction with the</p>

	<p>Board's Services, for selecting projects proposed by associations following a public call for projects, organising their coordination, assisting them administratively and assessing them.</p> <p>As part of their municipal budget, municipalities may set aside in a reserve part of this allocation to finance one-off, non-recurring projects. The following municipalities have a municipal reserve: Saint-Josse, Schaerbeek and Saint-Gilles.</p> <p>20 (2018) and 25 projects (2019)</p> <p>2. Regional social cohesion contract: 59 projects (2018) and 61 (2019) regional contracts</p> <p>The regional social cohesion contract determines, for a maximum period of five years, how the objectives set by the Board will be pursued by associations.</p> <p>It sets one or more specific objectives for the associations concerned and determines the project that they intend to carry out, their target public, the aim of their action, their allocated budget, and the criteria and methods for assessing their work.</p> <p>Regional social cohesion contracts are preceded by a call for projects launched by the Board.</p> <p>3. Regional centre for the support of social cohesion: 1 approved regional centre</p> <p>The regional centre is responsible for producing, in conjunction with the local coordination units, an annual report on the application of the Decree throughout the Region, and for proposing new directions for this policy to the Board. This report is submitted to the Assembly of the French Community Commission.</p> <p>The regional centre also organises meetings between social cohesion operators at regional level.</p>
--	---

	<p>4. Regional centre for the development of literacy and learning of French: 1 approved regional centre</p> <p>This regional centre is responsible for:</p> <ol style="list-style-type: none"> 1. welcoming and guiding French-speaking and non-French-speaking adults towards the most appropriate tools for literacy and learning of French; 2. coordinating, within the territory of the Brussels Capital Region, the literacy tools for French-speaking adults and the literacy and French learning tools for non-French-speaking adults, and offering its methodological and educational expertise in this area to its partners on request; 3. running literacy courses for adults of any origin who cannot write sufficiently well in French; 4. running literacy and French learning courses for adults with little or no schooling, whose mother tongue is not French and who cannot write and speak sufficiently well in French; 5. training the people tasked with delivering the literacy and French learning courses referred to in subparagraphs 3° and 4° and other professionals who are needed in order to organise this training; 6. seconding, to its association and public partners, trainers who are qualified to deliver literacy and French learning courses to people with little or no schooling. <p>5. Centre Bruxellois d'Action Interculturelle (Brussels Centre for Intercultural Action) 1 approved regional centre</p> <p>The <i>Centre Bruxellois d'Action Interculturelle</i> is a relay association between the associations on the ground, the regional public authorities and the media. It aims to support and encourage the activities of these associations.</p>
--	--

	<p>The annual subsidy allocated by the Board enables it to carry out the following tasks:</p> <ul style="list-style-type: none"> - provide associations with logistical assistance; - organise social cohesion events encouraging synergy between the social and cultural actions of the various communities; - organise training for people from a migrant background and for professionals from non-profit sectors in order to get everyone more involved in a multicultural society; - raise public awareness in the region about the positive and constructive aspects of an intercultural society. <p>6. Fonds d'impulsion à la politique des immigrés (FIPI) (Fund promoting immigration policy):</p> <p>FIPI association: 112 (2018) and 100 (2019) projects</p> <p>Municipal FIPI: 89 (2018) and 87 (2019)</p> <p>The <i>Fonds d'impulsion à la politique des immigrés</i> (FIPI) was set up in 1991 by the Federal Government. Its aim is to support projects encouraging the social integration of people with a foreign background, prevention of discrimination and intercultural dialogue. Following the 6th reform of the State and the 'Saint Emilie' transfers of powers, the FIPI was entrusted to the federated entities and thus partly to the French Community Commission (COCOF). There are 9 eligible municipalities in the Brussels Capital Region, namely Anderlecht, Brussels City, Etterbeek, Forest, Ixelles, Molenbeek, Saint-Gilles, Saint- Josse and Schaerbeek.</p> <p>The applications submitted must seek to achieve one or more of the integration goals described below:</p>
--	--

	<ul style="list-style-type: none"> • promotion of equality and diversity in all areas of social, cultural and economic life; • participation in social, cultural, economic and political life, and acquisition of resources useful for exercising free choice and personal independence; • improvement of exchanges and mutual awareness between different communities, as well as intercultural dialogue; • support for local dynamics encouraging social cohesion; • social, cultural, intergenerational and gender mix of the public; • emancipation of women and young girls; • fight against racism and discrimination. <p>Activities eligible for subsidy by the FIPI must be mainly aimed at people with a foreign background or nationality, with particular focus on new arrivals and women. They must seek to reinforce the social and cultural mix. To that end, the FIPI supports the implementation of programmes involving one of the following activities:</p> <ul style="list-style-type: none"> • promotion of academic success (catch-up support, guidance, prevention of early school leaving and absenteeism); • improvement of training opportunities for people with a foreign background and of their position on the labour market; • teaching of national languages; • social advancement (catch-up support in terms of knowledge and literacy); • sociocultural activities and sporting activities; • psychological, social or medical assistance tailored to people from a migrant background;
--	--

	<ul style="list-style-type: none"> • training of professionals working with a multicultural public; • coordination of a local partnership working for social cohesion; • translation and social interpreting. <p>7. Initiatives: 60 (2018) and 59 projects (2019)</p> <p>The Board can support, within the limit of the financial resources included in COCOF's general expenditure budget, one-off projects referred to as 'initiatives' that tie in with social processes helping to ensure equal opportunities and conditions, and economic, social and cultural well-being for all individuals or groups of individuals, without discrimination, so that everyone can actively participate and be recognised in society. These processes are particularly aimed at fighting any form of discrimination and social exclusion by developing policies of social integration, interculturality, sociocultural diversity and cohabitation between different local communities.</p>
Forms of entrustment	<p>- Municipal contract: Specific agreement signed between the association, local authority and regional authority.</p> <p>- Regional contract: Specific agreement signed between the association and regional authority.</p> <p>- Regional centre for the support of social cohesion and Regional centre for the development of literacy and learning of French: Order appointing the Board of COCOF to carry out the tasks covered by the Decree.</p> <p>- <i>Centre Bruxellois d'Action Interculturelle</i> (Brussels Centre for Intercultural Action - CBAI) Subsidy order.</p> <p>- Municipal FIPI: Agreement signed between the municipality and COCOF.</p>

	- Initiatives: Subsidy order.
Duration of the entrustment	Five years for the municipal and regional contracts, the Regional centre for the support of social cohesion and the Regional centre for the development of literacy and learning of French. One year for the CBAI, the FIPI and the Initiatives.
Exclusive or special rights assigned	Only for the Regional centre for the support of social cohesion, the CBAI and the Regional centre for the development of literacy and learning of French.
Compensation mechanism as regards the respective services, including aid instrument used. Methodology used to determine the compensation	<p>1. Municipal social cohesion contract</p> <p>Eighty per cent of the social cohesion budget is split between the municipalities. The Board sets and weights the criteria for determining how this amount is split between them. Some municipalities cofinance the social cohesion mechanism.</p> <p>The subsidies do not generally cover all the financial needs arising from the projects.</p> <p>2. Regional social cohesion contract</p> <p>Twenty per cent of the social cohesion budget is allocated to regional or inter-municipal projects and to projects that have not been included in a municipal social cohesion contract.</p> <p>Social cohesion contracts are funded by paying subsidies to associations.</p> <p>The subsidies do not generally cover all the financial needs arising from the projects.</p> <p>3. FIPI:</p> <p>The FIPI covers:</p> <p>1. operating and staff costs</p> <p>or</p> <p>2. investment and/or infrastructure costs: investment in the purchase, renovation or</p>

	<p>adaptation of an infrastructure open to the public for sociocultural, educational, artistic or sporting activities.</p> <p>The subsidies do not generally cover all the financial needs arising from the projects.</p> <p>4. Initiatives:</p> <p>Granting of compensation following individual and one-off applications submitted to the Board Member or Administration.</p> <p>The financial contribution covers operating and staff costs according to the provisional budget.</p>
<p>Arrangements for avoiding and repaying any overcompensation</p>	<p>For municipal and regional contracts, an advance of 90% of the subsidy is paid, no later than 20 February of the calendar year concerned, to those associations whose total subsidy does not exceed EUR 10 000.</p> <p>The balance is paid based on a final statement according to the terms laid down by the Board.</p> <p>Associations whose total subsidy exceeds EUR 10 000 receive, no later than 20 February of the calendar year concerned, an initial advance of 50% of the subsidy and, no later than 30 June, a second advance of 40% of the subsidy. The balance is paid based on a final statement according to the terms laid down by the Board.</p> <p>The association keeps double-entry accounts for each budget year and submits a balance sheet and a revenue and expenditure account every year using the model imposed by the Board.</p> <p>The Board appoints administration officials to audit the application of the provisions of the Decree and its implementing orders.</p> <p>The local coordination units and subsidised associations must guarantee free access for those</p>

	<p>officials to their premises and the documents that they need to carry out their tasks.</p> <p>Submission of an activity report and supporting documents at the end of the activity.</p> <p>Repayment of overcompensation based on eligible supporting documents, which are set out in a circular.</p> <p>For the FIPI, the instructions on how to justify subsidies are set out in a circular.</p> <p>In the other cases, the subsidy orders contain rules on justifying the amounts allocated.</p>
--	--

TRANSPARENCY REQUIREMENTS: the calls for projects, legislative texts, instructions for justifying subsidies, etc. are published on the CCF website.

Amount of aid granted 2018 and 2019	
Total amount of aid granted	<p>COCOF Social Cohesion: EUR 13 509 290.46 (2018) and EUR 13 836 234.79 (2019), of which:</p> <p>Municipal contracts: EUR 7 464 210.41 (2018) and EUR 7 637 461.15 (2019)</p> <p>Regional contracts: EUR 1 687 581.89 (2018) and EUR 1 747 486.07 (2019)</p> <p>Regional centre for the support of social cohesion: EUR 255 321.71 (2018) and EUR 260 853.88 (2019)</p> <p>Regional centre for literacy: EUR 917 331.45 (2018) and EUR 937 207.69 (2019)</p> <p>FIPI: EUR 1 945 830.00 (2018) and EUR 1 945 000.00 (2019)</p> <p>Initiatives: EUR 1 069 015.00 (2018) and EUR 1 138 226.00 (2019)</p> <p><i>Centre Bruxellois d'Action Interculturelle</i> (Brussels Centre for Intercultural Action - CBAI) EUR 170 000 (2018) and EUR 170 000 (2019)</p>
Additional quantitative information	/

2. DIFFICULTIES WITH THE APPLICATION OF THE SGEI DECISION OR SGEI FRAMEWORK

The 2017-2018 data were updated to produce this report.

3. COMPLAINTS BY THIRD PARTIES

None.

4. MISCELLANEOUS QUESTIONS

None.

FRENCH COMMUNITY COMMISSION SHEET

CATEGORY	Social services
SECTOR	Care and social inclusion of vulnerable groups

1. DESCRIPTION OF THE APPLICATION OF THE SGEI DECISION AND THE SGEI FRAMEWORK AND AMOUNTS GRANTED

Legal basis:

- 5 March 2009 – Decree on outreach services in the areas of social work, family and health.
- 4 June 2009 – Order of the Board of the French Community Commission implementing the Decree of 5 March 2009 on outreach services in the areas of social work, family and health.

Decree of 27 May 1999 on the granting of approval and subsidies to social care homes.

- Order of 20 July 2000 implementing the Decree of 27 May 1999 on the granting of approval and subsidies to social care homes;
- Order of 27 February 2003 regulating the granting of investment subsidies to social care homes.

Decree of 13 May 2004 on subsidies for the purchase, construction, renovation, adaptation, equipment, extension and furnishing of certain centres, facilities, homes, agencies or sheltered housing initiatives falling under the social work, family and health policy.

- Order of 14 April 2005 implementing the Decree on subsidies for the purchase, construction, renovation, adaptation, equipment, extension and furnishing of certain centres, facilities, homes, agencies or sheltered housing initiatives falling under the social work, family and health policy.

Decree of 22 March 2007 on the accommodation and care policy to be pursued with regard to elderly people.

- Order No 2008/1561 of 2 April 2009 of the Board of the French Community Commission implementing the Decree of 22 March 2007 on the accommodation and care policy to be pursued with regard to elderly people.

Decree of 27 May 1999 of the Assembly of the French Community Commission on the approval and subsidy of caregiver training centres.

- Order of 21 October 1999 of the Board of the French Community Commission on the approval and subsidy of caregiver training centres.

Description of how the respective services are organised	
<p>Type of services in the respective sector defined as SGEI.</p> <p>Contents of the services entrusted as SGEI.</p>	<p>1. Family planning centres: 27 approved</p> <p>Family planning centres have the following tasks:</p> <p>1. Welcome, information and support of individuals, couples and families.</p> <p>They must therefore:</p> <p><i>a)</i> welcome anyone in a situation of emotional, relational, sexual and administrative distress, listen and respond to them and guide them;</p> <p><i>b)</i> arrange medical, psychological, social and legal consultations;</p> <p><i>c)</i> monitor pregnancies, arrange prenatal consultations and help pregnant women who are in difficult situations;</p> <p><i>d)</i> organise prevention activities in order to prepare young people for emotional, relational and sexual life, provide information and encourage discussions among adults on this theme;</p> <p><i>e)</i> fully inform individuals and groups about contraception, wanted or unwanted pregnancies, and abortions.</p> <p>In accordance with the law, centres can carry out activities in the specialised area of offering abortions.</p> <p>Family planning centres can carry out specific activities in more specialised areas connected with these tasks, particularly in terms of couples' counselling and family mediation.</p> <p>2. Development of a prevention policy in liaison with social and health professionals.</p>

	<p>2. Home help services: 7 approved</p> <p>Home help services have the following tasks:</p> <ol style="list-style-type: none"> 1. enabling beneficiaries to enjoy a better life at home and to gain and maintain their independence, with the support of caregivers, elderly support workers and domestic helpers, in conjunction with the family and local environment and other professionals if necessary; 2. as a priority helping those most in need and those who are the most disadvantaged in financial, physical or mental health and social terms. <p>3. Social care homes 16 approved</p> <p>Social care homes have the tasks of welcoming, accommodating and providing appropriate psychosocial assistance to beneficiaries in order to encourage their independence, physical well-being and reintegration into society. Beneficiaries are defined as follows: adults, mature minors, juvenile mothers and pregnant minors who are in a precarious relational, social or material position and who are unable to live independently, as well as their accompanying dependent children. Dependent children are defined as children who are usually looked after by the beneficiaries.</p> <p>4. Daycare facilities for the elderly: 6 approved centres</p> <p>Daycare facilities are intended to provide daycare for people who are at least 60 years old in order to help them maintain or re-establish social ties, encourage their independence and guide them in social and health matters. These facilities are mainly aimed at elderly people who do not live in a residential establishment intended for the elderly. Residents of a retirement or retirement and care home cannot access these facilities. As a bridge</p>
--	---

	<p>between private accommodation and retirement homes, these centres welcome any elderly people who are losing their independence and need psychological, paramedical or social support. They can accommodate a maximum of 20 people per day and are open five days a week. They provide a social service, an occupational therapy service, personal care assistance, paramedical care, entertainment (games, singing, meals, outings to shows, etc.), a transport service between the centre and the home, transport to hospital, etc.</p> <p>5. Caregiver training centres: 3 approved</p> <p>that provide skills training over 10 months, including theory lessons and practical training. As a result of this certification, students completing the caregiver training can use the title of multi-skilled care worker in home and community-based services.</p> <p>6. Social alarm services: 2 approved</p> <p>Social alarm services offer remote assistance and an emergency response, where needed, 24 hours a day to elderly people who are at least 60 years old.</p> <p>7. Initiatives: 130 initiatives</p> <p>support for measures aimed at promoting, improving, protecting, assessing, maintaining or re-establishing the quality of life of the population through an interdisciplinary approach, in partnership with other social and health operators.</p>
Forms of entrustment	<ul style="list-style-type: none"> - Ministerial approval order - Categorisation order - Subsidy order for initiatives
Duration of the entrustment	Outreach services (family planning centres, home help services):

	<p>- two years, renewable once only, for the provisional approval; - unlimited for the final approval.</p> <p>Social care homes: five years, renewable.</p> <p>Daycare facilities for the elderly: six years, renewable.</p> <p>Social alarm services: six years, renewable.</p> <p>Caregiver training centres: five years, renewable.</p> <p>Initiatives: maximum of one year, renewable.</p>
Exclusive or special rights assigned	Defined in the Decree on outreach services in the areas of social work, family and health.
Compensation mechanism as regards the respective services, including aid instrument used. Methodology used to determine the compensation	<p>1. Family planning centres</p> <p>The minimum team must consist of at least 0.16 FTE psychologist, 0.16 FTE social worker, 0.16 FTE legal expert and 0.16 FTE doctor.</p> <p>The operating costs subsidy is set at EUR 5 140 per subsidised FTE worker. However, a minimum annual amount of EUR 24 230 is guaranteed for each family planning centre.</p> <p>Every five years, a contribution towards computer costs is granted to each family planning centre to cover the costs of purchasing computer equipment, up to a maximum of EUR 3 850.</p> <p>A subsidy of EUR 21 per hour is granted for consultation time other than medical consultations and for time spent on meetings, welcoming people and prevention work by self-employed members of the family planning centre team.</p>

	<p>2. Home help services</p> <p>Subsidies are granted to home help services as follows:</p> <p>1. The subsidy for caregiver and elderly support worker activities comprises the following:</p> <p><i>a)</i> a fixed amount per hour worked as a contribution towards the employer costs for caregivers and elderly support workers. The beneficiary's contribution is deducted from this amount.</p> <p>For the delivery of meals at home, an amount of EUR 1.24 per hour worked is deducted from the fixed amount. The delivery of meals cannot exceed four hours per day.</p> <p><i>b)</i> A fixed amount per hour worked as a contribution towards the employer costs for administrative staff.</p> <p><i>c)</i> A fixed amount per hour worked as a contribution towards operating costs.</p> <p><i>d)</i> A fixed amount per service as a contribution towards the employer costs for the service manager (or general coordinator) and team managers.</p> <p><i>e)</i> A fixed amount for one FTE as a contribution towards the employer costs for management staff where the service has more than 100 FTEs.</p> <p>2. An additional fixed amount per caregiver or elderly support worker service is granted as a contribution towards the employer costs for the service manager (or general coordinator) and team managers for services provided on Saturday, Sunday and public holidays and for any service provided in the morning before 7.00 a.m. and in</p>
--	---

	<p>the evening after 6.00 p.m., where these hours represent at least 4% of the total volume of hours worked in the home.</p> <p>3. The subsidy for domestic helper activities comprises the following:</p> <p><i>a)</i> A fixed amount per hour worked as a contribution towards the employer costs for domestic helpers. The beneficiary's contribution is deducted from this amount.</p> <p>For the delivery of meals at home, an amount of EUR 1.24 per hour worked is deducted from the fixed amount. The delivery of meals cannot exceed four hours per day.</p> <p><i>b)</i> A fixed amount per hour worked as a contribution towards the employer costs for administrative staff.</p> <p><i>c)</i> A fixed amount per hour worked as a contribution towards operating costs.</p> <p><i>d)</i> A fixed amount per service as a contribution towards the employer costs for the service manager (or general coordinator) and team managers.</p> <p>4. The subsidies for time worked by caregivers, elderly support workers and domestic helpers on Sunday or public holidays or in the morning before 7.00 a.m. and in the evening after 6.00 p.m. are increased by a time supplement of 50%. The subsidies for time worked on Saturday are increased by a time supplement of 35%. For domestic helpers, these subsidies are granted only for the delivery of meals at home.</p> <p>5. Travel time is taken into account when calculating the subsidies, at the rate of a quarter of an hour per service.</p>
--	--

	<p>Where intensive support is provided, the subsidy per service, intended to cover the wage of the service manager and team managers, is multiplied by two for a six-hour service and by three for an eight-hour service.</p> <p>7. The fixed amounts are indexed as follows:</p> <p>Whenever the average of the quarterly consumer price indices for two consecutive months reaches one of the key indices or falls to one of these, the fixed amounts are calculated by applying a coefficient of 1.02n to them, which represents the rank of the key index reached. The amounts are always revised at the start of a quarter.</p> <p>The subsidy for caregiver and elderly support worker services is capped at four-fifths of the maximum number of hours of subsidised services, set annually by the regional authority. It is capped at two-fifths of these hours for domestic helpers.</p> <p>Time spent at trade union meetings by support workers can be treated as service time, at the rate of:</p> <ol style="list-style-type: none"> 1. four hours per month and per representative for works council meetings; 2. four hours per month and per representative for prevention and protection at work committee meetings; 3. four hours per month and per representative for union delegation meetings. <p>Time taken for medical examinations carried out under the Law on well-being at work can be treated as service time.</p> <p>When calculating the subsidy, internal coordination meetings are taken into account only</p>
--	---

	<p>at the rate of an average of two hours per support worker and per week.</p> <p>When calculating the subsidy, external coordination meetings are taken into account only at the rate of an average of 20 hours per year and per support worker.</p> <p>The subsidy for continuing training costs for the service manager, team managers, and administrative and management staff is 1% of the wage bill for these staff.</p> <p>3. Social care homes</p> <p>Social care homes can be approved for one or more of the following activity categories: Category 1: support of single adults; Category 2: support of single adults with children; Category 3: support of families.</p> <p>A maximum capacity is determined for each activity category on approval.</p> <p>The subsidy amount is linked to the category in which the home is approved and the ways in which beneficiaries can access the home. The subsidies are intended to cover, on the one hand, staff costs (staff training costs) and operating costs and, on the other hand, infrastructure costs of the social care home according to the terms and criteria determined by the regional authority.</p> <p>The latter determines the percentage of staff costs that can be subsidised in terms of the continuing training costs for workers. Operating costs comprise the costs of operating the home and costs associated with accounting and administrative management tasks.</p> <p>4. Daycare facilities for the elderly:</p> <p>Annual fixed subsidy as a contribution to staff and operating costs: EUR 60 000. Operating subsidies means any expenditure that cannot be depreciated (salaries, training, purchase of consumables, etc.).</p>
--	--

	<p>5. Caregiver training centres</p> <p>The subsidy consists of the following for each training course provided:</p> <ol style="list-style-type: none"> 1. A fixed subsidy of EUR 18 592.01 as a contribution towards the employer costs for a coordinator who is employed on at least a part-time basis and who holds an upper secondary education diploma or certificate or, failing that, who can prove 10 years of service in the non-profit sector. 2. A fixed subsidy of EUR 22.31 per hour taught. The total number of hours cannot exceed 500 hours per course. <p>However, where the approved training centre splits the students on one training course into several groups, the maximum number of 500 hours can be exceeded, with the subsidy allocated for hygiene, first aid and domestic training lessons being calculated according to the number of duplicated hours.</p> <ol style="list-style-type: none"> 3. A fixed subsidy of EUR 22.31 per hour of support meetings. The total number of support meeting hours cannot exceed 50 hours per course. 4. An annual fixed subsidy of EUR 3 966.30 as a contribution towards the operating costs, particularly including documentation and teaching material costs. <p>These amounts are open to revision based on the health index. They are revised annually on 1 January based on the consumer price index.</p> <p>6. Social alarm services</p> <p>The Board of COCOF (French Community Commission) grants a subsidy to social alarm services where they apply a price reduction of at</p>
--	---

	<p>least EUR 15 per month for beneficiaries meeting the following conditions:</p> <ul style="list-style-type: none"> - the beneficiary is at least 60 years old, recognised as disabled and has an income not exceeding the amount for 'BIM' or 'OMNIO' (higher contribution) eligibility in the context of health insurance; - the beneficiary is at least 75 years old and has an income not exceeding the amount for 'BIM' or 'OMNIO' (higher contribution) eligibility in the context of health insurance. <p>An indexed subsidy of EUR 1.25 is also granted for management costs per month and per file.</p> <p>7. Initiatives:</p> <p>Granting of compensation for each call for projects. Contribution to staff and operating costs based on a provisional budget.</p>
Arrangements for avoiding and repaying any overcompensation	<p>Approved services</p> <p>Audit and inspection of the services by authorised agents: compliance with the conditions of approval and rules imposed, on-the-spot consultation of evidence and documents needed to carry out the task.</p> <p>Based on an annual supporting dossier and documents.</p> <p>Repayment of overcompensation based on eligible expenditure.</p> <p>Initiatives</p> <p>Submission of supporting documents at the end of the activity.</p> <p>Audit of supporting documents submitted.</p> <p>On-the-spot inspection and audit.</p> <p>Repayment of overcompensation based on the accepted supporting dossier.</p>

Amount of aid granted 2018	
Total amount of aid granted	51 334 155.32 Of which Family planning centres: EUR 7 862 135.85 Home help services: EUR 29 913 688.79 Social care homes: EUR 11 699 773.16 Daycare facilities for the elderly: EUR 399 884.95 Caregiver training centres: EUR 182 098.34 Social alarm services: EUR 180 071.19 Initiatives: EUR 1 096 503.04
Additional quantitative information	

2. DIFFICULTIES WITH THE APPLICATION OF THE SGEI DECISION OR SGEI FRAMEWORK

a) Conceptual difficulties

- The SNEGI and SGEI concepts, as defined by the European Commission, suffer from a lack of terminological clarity.
- The flexibility that the Member States are allowed by the European Commission in defining general interest tasks, which is at the discretion of the subsidising authorities, creates legal uncertainty.
- It is difficult to precisely identify when remuneration forms an economic consideration for the service provided.
- It is difficult to determine when a given market exists, which is characterised by the interaction of supply and demand.
- In the absence of complaints, it is difficult to determine whether calls for proposals that are selective by nature may also lead to distortions of competition.
- The concept of 'general interest task' is often confused with a series of specific activities to be carried out.

b) Methodological difficulties

- It is difficult to differentiate between SNEGI, SGEI or SSGI activities within an undertaking.

- An undertaking pursuing the same object can receive public aid from different levels of government. It is sometimes complicated to identify whether these activities come under the same general interest task.
- Where one level of government assigns a general interest task through an entrustment and grants public aid, another level of government may fund activities through a call for proposals. In this case it is not easy to distinguish between ‘de minimis’ aid and State aid compatible with the market.
- For some undertakings, one level of government grants approval, but not public aid. This distribution of responsibility by level of government complicates the application of the SGEI Decision.

c) Specific analysis difficulties

- A financial contribution threshold needs to be defined so that it can be decided whether or not an activity is economic (subscriptions, contributions to costs, minimum acceptable contributions).
- Information on public aid granted to undertakings situated in one region is not being regularly exchanged between the different levels of government (need to carry out analysis based on balance sheets).
- It is difficult to identify in balance sheets whether the total amount of public aid has been granted to one SGEI or several SGEI (which results in the public aid received being combined).
- It is difficult to identify in balance sheets the amounts for an SNEGI (where its funding is not regarded as falling under de minimis aid) and those covered by a de minimis regulation.
- It is difficult to identify and weight in financial terms aid in kind and indirect financing received by undertakings (provision of premises, staff, equipment).

3. COMPLAINTS BY THIRD PARTIES

None.

4. MISCELLANEOUS QUESTIONS

None.