

France

Report on Services of General Economic Interest

SGEI 2022

Contents

1. Expenditure overview	2
2. Description of the application of the 2012 SGEI Decision	3
2.1. Hospitals (Art. 2(1)(b))	3
2.2. Social services (Article 2(1)(c))	16
a) Childcare	16
b) Access to and reintegration into the labour market	23
c) Social housing	35
d) Care and social inclusion of vulnerable groups	45
2.3. SGEI compensation not exceeding an annual amount of EUR 15 million (Art. 2(1)(a))	49
a) young people and community life	49
b) standardisation (French Standardisation Organisation - AFNOR)	56
c) local and regional authorities: (other SGEIs)	58
d) other sectors (animal insemination)	58
3. Description of the application of the 2012 SGEI Framework	61
3.1. SGEI compensation exceeding EUR 15 million, falling outside the SGEI Decision	61
a) Postal services	61
b) culture	70
c) financial services	73
d) Metrology: LNE (Laboratoire national de métrologie et d'essais – national metrology and testing laboratory)	77
4. Complaints by third parties	80
5. Miscellaneous questions	80

1. Expenditure overview

Please complete the following table:

Total SGEI government expenditure by legal basis (millions EUR)		
	2020	2021
<i>Compensation for Services of General Economic Interest (1+2)</i>	103 013	108 170
(1) Compensation granted on the basis of the SGEI Decision*	102 284	107 434
(2) Compensation granted on the basis of the SGEI Framework	729	736

Not compulsory: If your Member State has not granted State aid for the provision of SGEI in certain sectors on the basis of the SGEI Decision or the SGEI Framework, information regarding other instruments to ensure the provision of those services would be very useful. If available, please provide a brief description of these instruments (e.g. direct aid to users, compensation complying with all four Altmark criteria, SGEI de minimis aid ...) and the sectors in which they are used.

*SGEI Decision expenditure not including figures from local and regional authorities in the annex (access to and reintegration into the labour market and others)

2. Description of the application of the 2012 SGEI Decision

2.1. Hospitals (Art. 2(1)(b))

Section 1) Hospitals
Hospitals (Article 2(1)(b))
Clear and comprehensive description of how the respective services are organised in your Member State
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list the contents of the services entrusted as SGEI as clearly as possible.
<p>Article L. 6111-1 of the Public Health Code assigns to each healthcare institution a mission to carry out the <i>'diagnosis, monitoring and treatment of the sick, the injured and pregnant women'</i>.</p> <p>Healthcare institutions <i>'provide medical care, where necessary palliative care, with or without accommodation, to outpatients and patients in their own homes [...] They take part in coordinating healthcare with all the members of the health professions working in office-based practices and in medical-social institutions and services, within the limits laid down by the regional health care agency in agreement with the departmental councils, within the limits of their powers.'</i></p> <p>These missions, set out in Article L. 6111-1 of the Public Health Code, constitute Services of General Economic Interest (SGEI) in the hospital sector.</p>
Explanation of the (typical) forms of entrustment . If standardised templates for entrustments are used for a certain sector, please attach them.
The entrustment takes the form of an obligation for the healthcare institutions to conclude a multiannual contract covering objectives and means (CPOM) with the Regional Healthcare Agencies (ARS), the decentralised health authorities. Moreover, healthcare institutions must seek authorisation to provide healthcare services. Authorisation is issued by the Regional Healthcare Agencies. A standard multiannual contract covering objectives and means and a copy of a decision issued by a Regional Healthcare Agency are attached as examples.
Average duration of the entrustment (in years) and the proportion of entrustments that are longer than 10 years (in %) per sector. Specify in which sectors SGEI were entrusted with a duration exceeding 10 years and explain how this duration is justified?
Multiannual contracts covering objectives and means are concluded for a 5-year period (Article L. 6114-1 of the Public Health Code). There are no such contracts with a longer period of validity. The period of validity of authorisation to provide healthcare is set at 7 years (Article R. 6122-37 of the Public Health Code).

Explanation whether (typically) exclusive or special rights are assigned to the undertakings.
None
Which aid instruments have been used (direct subsidies, guarantees, etc.)?
Public and private healthcare institutions receive financing under the compulsory health insurance schemes as well as investment aid paid by the Fund for the Modernisation of and Investment in Health (FMIS), which was created on 1 January 2021 (see below) by converting the Fund for the Modernisation of Public and Private Healthcare Institutions (FMESPP).
Typical compensation mechanism as regards the respective services and whether a methodology based on cost allocation or the net avoided cost methodology is used.
<p>I. For medical, surgery and obstetric services, the financing arrangements for healthcare institutions is a combination of two elements:</p> <ul style="list-style-type: none"> - the case-based payment system (T2A) makes it possible to allocate resources depending on the nature and volume of the services provided by each institution; - the funding of emergency departments is characterised by a new financing model tailored to the needs of the population; - critical care activity is financed via the case-based payments system (T2A), according to the intensity of the care provided. Daily supplements addressing medico-technical criteria are added to this: - the Regional Intervention Fund (FIR) and the allocation for general interest services and aid for contracting procedures (MIGAC) finance the services provided outside the scope of the general principle of case-based payments (research, training, etc.); moreover, the Fund for the Modernisation of and Investment in Health finances, for instance, the investment aid for healthcare institutions; - the quality improvement financial incentive scheme (dispositif d'incitation financière à l'amélioration de la qualité, IFAQ) was created from a desire to recognise the quality initiatives deployed by healthcare institutions and encourage them to improve their quality results; - fixed-rate funding to cover the healthcare costs of patients suffering from chronic illnesses as part of a care pathway. - supplemental funding of community hospitals. <p>There are two methods of compensation:</p> <p>1. Main financing from national charges</p> <p>Under the IT Medicalisation Programme (PMSI), the accommodation situation of each patient is classified within a homogenous group of patients associated with one or more homogenous accommodation groups.</p> <p>For each stay in hospital that is invoiced, the healthcare institutions are paid on the basis of national charges set down in an order by the Ministers responsible for Health and Social Security. The resources allocated therefore depend on the service provided. The case-based payment system (T2A) sets a single price for the same type of service supplied by all healthcare providers. The charge is set for each homogenous patient group (GHM). The nomenclature of the homogenous patient groups is intended to classify the very diverse range of medical services in</p>

a complete list of groups that are distinctive in both medical and financial terms (hospital stays for which the consumption of resources are broadly similar).

In order to provide a legitimate financial basis, the charges corresponding to each homogenous patient group are defined in a national cost study (ENC) produced from a sample of public and private health institutions. The Hospitalisation Information Technical Agency (agence technique de l'information sur l'hospitalisation - ATIH) collects these costs (via the IT Medicalisation Programme - PMSI), processes them and determines the charges for accommodation (homogenous accommodation groups) based on these processed figures corrected by a price-volume budget adjustment to take account of the national health insurance expenditure target (objectif national des dépenses d'Assurance maladie - ONDAM) and public policies.

T2A financing is calculated by multiplying the charge for each homogenous patient group by the number of corresponding hospital stays.

2. A new emergency department funding model tailored to the needs of the population

Until 31 December 2020, authorised emergency departments were funded via a number of schemes linked primarily to the activity carried out: a flat-rate form of financing (the 'annual emergency department fee'), calibrated to the number of patient visits from the previous year and covering the financing of the facility, combined with case-based funding comprising a 'reception and treatment of emergencies' fee and billing of activities carried out for patient visits not followed by hospitalisation. Patient visits followed by hospitalisation, whether in a short-stay hospitalisation unit or a standard hospitalisation unit, are invoiced via the T2A case-based payment system.

The reform of the financing of emergency medical facilities (mobile emergency and resuscitation services ('SMURs') and emergency departments, for health expenditure of EUR 4.6 billion) adopted in the Social Security Financing Law for 2020 (Article 36) forms part of the Pact for the restructuring of emergency care ('Pacte de refondation des urgences'), presented by the Minister for Solidarity and Health in September 2019.

The joint development work carried out in 2020 and 2021 with healthcare institution federations, trade unions, associations of emergency medicine experts, and representatives of Regional Health Agencies allowed a new model to be devised, based on a population-based allocation (58% of funding), activity-based lump sums (40%) and a quality allocation (2%). The general architecture of the model and the operating arrangements of the various components were specified in a decree of the Council of State published on 25 February 2021 (Decree No 2021-216 of 25 February 2021 on the reform of the financing of emergency departments and mobile emergency and resuscitation services, and laying down various provisions relating to healthcare institutions).

3. Complementary financing by means of allocations and intervention appropriations

Complementary financing can come from various sources:

- ***The allocation for financing general interest services and aid for contracting procedures (MIGAC)***

General interest missions (MIG) cover specific, properly identified activities that cannot be financed individually either because there is no suitable classification or because they cannot be associated with a given patient. The activities can be classified in two broad categories:

- education, research, reference and innovation (MERRI) set out in Article D. 162-6-1 of the Social Security Code;
- the other missions set out in paragraphs 2, 3 and 4 of Article D. 162-6 of the Social Security Code, including epidemiological monitoring and surveillance, health monitoring, the intervention of multidisciplinary teams and coordination in the case of certain specific pathologies.

In addition, the Ministry of Health has drawn up a guide to financing general interest missions (MIG). In line with this guide, resources can be allocated depending on the missions, and based on ongoing modelling and updating work. Two equally important goals are pursued:

- to increase the legal certainty of notifications of appropriations financing general interest missions;
- to increase the quality of the dialogue concerning management and its transparency between the Regional Healthcare Agencies and health institutions by continuing clarification of the limits of general interest missions and documenting the resources needed to perform them.

In this guide, the methodology is set out and frameworks provided for each mission to support the Agencies and healthcare institutions in the contracting procedures. The objective is to ensure that each mission financed by the general interest mission allocation is subject to a contract for a fixed amount, on an equitable basis, which sets out the resources to be applied and indicators of the expected results, hence ensuring transparency with all the institutions.

- the Regional Intervention Fund (FIR)

Other appropriations can be allocated to healthcare institutions for targeted, ad hoc support. The Regional Intervention Fund is intended to provide Regional Health Agencies with greater management flexibility throughout the field of healthcare, medical and social activities, and prevention. The Agencies' use of appropriations from this Fund is the subject of an annual activity report, submitted to Parliament (link to the 2020 activity report: https://solidarites-sante.gouv.fr/IMG/pdf/ra_fir_2020.pdf).

- The quality improvement financial incentive scheme (IFAQ)

After two test campaigns carried out with volunteer healthcare facilities, the quality improvement financial incentive scheme (IFAQ) was rolled out to all medical, surgery and obstetric facilities from 1 January 2016, pursuant to Article 51 of the Social Security Financing Law for 2015; it was extended to follow-up care and rehabilitation facilities starting in 2017.

As part of the healthcare system transformation strategy, discussions were held on how to develop the IFAQ scheme to increase the extent to which quality is taken into account in the financing of healthcare institutions. The national health strategy thus emphasises the need to diversify modes of financing to ensure that they give incentives for ensuring the quality and appropriateness of healthcare, rather than just activity volumes.

The IFAQ was thoroughly overhauled in 2019, changing from a supplementary and limited financial incentive to a proper funding package for healthcare institutions, which in 2021 amounted to 450 million euros.

Article 37 of the Social Security Financing Law for 2019 laid the foundations for the new scheme. It amended Article L. 162-23-15 of the Social Security Code by introducing a number of provisions to be introduced gradually:

- greater consideration given to the experience and results reported by patients in 2019, with an obligation to include measurement of patient experience in all activity sectors (granting an exemption for psychiatry - 2021);
- the extension, in 2020, of the quality improvement financial incentive scheme to institutions offering psychiatry services (referred to in paragraph 2 of Article L. 162-22 of the Social Security Code); in 2020, the indicators were to be compiled but would not count. Originally planned for 2020, this extension has been postponed until 2022 in light of the Covid-19 situation;
- the introduction, with effect from 2020, of a financial penalty scheme for institutions that fail to achieve the minimum quality thresholds under the indicator in three consecutive years.

The year 2019 was considered to be a transition year to prepare the phase-in of the quality improvement financial incentive scheme. Decree No 2019-121 of 21 February 2019 lays down the principles for the implementation of the scheme in 2019 only.

For 2019, the principles laid down by the Decree are as follows:

- Taking into account a limited number of indicators within the six main pre-defined categories;
- Removing eligibility criteria for the scheme, but giving different treatment to institutions with no certification or whose certification has been suspended;
- Remuneration based on each indicator, replacing an overall score, which institutions often find unclear;
- Comparison of institutions within homogenous groups;
- Assessment of the level reached and progress made.

The health crisis which began in February 2020 stopped work on the IFAQ until October 2020.

As a result of the crisis, for 2020, the IFAQ scheme was adjusted to be paid out in the form of an overall package comprising one component (50%) based on the 2019 results and another (50%) on an economic valuation calculation.

Subsequently, the Order of 13 July 2021, defining the method for calculating the amount of the allocation granted to healthcare institutions pursuant to Article L. 162-23-15, the list of compulsory indicators for the improvement of the quality and safety of care and the conditions under which certain results can be made available to the public by the healthcare institution specified these principles and detailed the implementation of the scheme for 2021:

- The formation of 12 comparison groups at the level of the geographical FINES directory of healthcare establishments (the level at which indicators are compiled). The groups are formed according to activity areas (medical, surgery and obstetrics, follow-up care and rehabilitation, home hospitalisation and dialysis) and based on criteria relating to volume and specialisation;

These groups are used as the basis for allocating the overall financial package. Each group receives a share of the package on a pro-rata basis in relation to the economic volume represented by the institutions in the group.

Finally, Decree No 2021-1613 of 9 December 2021 introduced several amendments to the regulatory provisions of the Social Security Code relating to the improvement of the quality and safety of care:

- Some amendments extended and enhanced the IFAQ system, with the introduction of a new category of 'prevention' indicators and the extension of the system to the field of mental health;
- Some amendments clarified the arrangements for implementing the main principles laid down in the Social Security Financing Law for 2019, with the introduction of a financial penalty mechanism;
- Others allowed the scheme to be adjusted to the increase in overall funding, changing the arrangements for the payment of the allocation and improving the process of monitoring the quality of the data collected.

- Fixed-rate funding to cover the healthcare costs of patients suffering from chronic illnesses

Article 38 of the Social Security Financing Law for 2019 modified the financing model for chronic illnesses, introducing the possibility of implementing a fixed-rate funding model more suited to preventive rather than curative care, with the aim of preventing the emergence of complications from chronic illnesses and stop them from developing.

The eventual aim is for these fixed-rate packages to cover all costs of the care provided, in both practice-based and hospital settings, and for them to be applied according to the patient's risk level. They will incorporate quality indicators relating to improvement in patient treatment and care pathways. Patients' experience will also be monitored closely by introducing patient questionnaires which will not be costed.

A first fixed-rate package was introduced on 1 October 2019 (Decree No 2019-977 of 23 September 2019 on the fixed-rate remuneration of healthcare institutions for certain chronic illnesses, laid down in Article L. 162-22-6-2 of the Social Security Code), covering the care of patients suffering from chronic kidney disease, at the pre-renal replacement stage.

The criteria for including patients as eligible for this fixed-rate package are:

- Stage 4 and 5 chronic kidney disease
- Insufficient renal glomerular filtration rate
- Age \geq 18 years
- Special case: patients in preventative care (except palliative care) are also eligible

The flat-rate amount varies according to the stage of treatment of the chronic kidney disease.

Institutions that care for at least 220 patients per year are eligible for flat-rate remuneration. By way of incentive, institutions caring for between 160 and 220 patients also benefit from a minimum guarantee intended to help them qualify for the flat-rate remuneration. Since 2021, the number of patients has been measured on the basis of the previous year's activity data, sent via an IT system.

For institutions caring for at least 220 patients each year, the flat-rate remuneration corresponds to the flat-rate amount multiplied by the number of patients receiving care.

In order to receive this remuneration, the healthcare institution must set up a multi-disciplinary team comprising, according to the number of patients covered and their health needs:

- one or more nephrologists;

- one or more doctors or nurses who are responsible for coordinating and assisting patients in managing their illness;
- one or more dieticians;
- and, where necessary, one or more other paramedical or socio-educational professionals or those who work in adapted physical activity.

To receive the full amount, the establishment must also fulfil the following minimum conditions, for each patient cared for:

1. At least one nephrologist consultation carried out
2. At least one session held with a nurse to help the patient manage his or her illness
3. At least one session held with the dietician

Where the patient has not had at least one nephrologist consultation in the past year, the establishment does not receive any remuneration for that patient. The amount of the flat-rate remuneration is reduced, potentially cumulatively, by 33% if the session with a nurse was not carried out and/or by 33% if no session was held with a dietician.

For establishments caring for between 160 and 220 patients each year, the minimum guarantee corresponds to the number of patients meeting the eligibility threshold (i.e. 220 patients) multiplied by the national average annual amount per patient. The average annual national amount per patient corresponds to the reimbursements paid by the health insurance company the previous year across all national activity divided by the total number of patients covered that year.

- The Fund for the Modernisation of and Investment in Health (FMIS)

Pursuant to Article 49 of Law No 2020-1576 of 14 December 2020 on the financing of social security for 2021, the Fund for the Modernisation of and Investment in Health (FMIS) was established on 1 January 2021 by converting the Fund for the Modernisation of Public and Private Healthcare Institutions (FMESPP).

The new Fund for the Modernisation of and Investment in Health (FMIS) fulfils the commitments made under the 'Ségur' health investment plan. This new fund also reflects the desire to support more integrated community/hospital/medical/social projects, the purpose of the fund having been revised to include new missions and beneficiaries (medical/social establishments, coordinated community facilities).

The challenges of modernising healthcare establishments in terms of real estate investment as well as the digital sector for the health and medical/social sectors require strong and substantial financial support in line with the conclusions of the 'Ségur' health investment plan.

The first Circular No DGOS/R1/2021/142 of 30 June 2021 implemented both the commitments in the Ségur plan and the measures traditionally supported by the Fund, for a total amount of EUR 824.5 million.

Furthermore, the COPERMO (Interministerial Committee for performance and modernisation of the provision of hospital care) was abolished following the Ségur plan. The circular of 10 March 2021 on relaunching investment in the health system, in the context of the 'Ségur' health investment plan and the 'France Relance' economic recovery plan, thus aims to propose 'a new investment policy which will be implemented in a manner departing with the arrangements in place for the last 10 years, particularly in the context of COPERMO'. This scheme is based on a

'new' three-tier governance model, with the establishment of a scientific committee, a national health investment council (CNIS) and an inter-ministerial steering committee (COPIL).

The Ségur health investment plan devised a new health investment doctrine based on a territorial and cross-cutting approach, placing the consolidation of the medical project, consulting and involvement of local elected representatives before the real estate project, with more decentralised management of investment in health by the Regional Health Agencies. Only particularly sensitive projects or those whose value exceeds EUR 150 million undergo examination by a national body (COPIL). COPIL is also the forum to which the Agencies report twice a year on the deployment of their regional investment strategy.

Meanwhile, the aim of the national health investment council (CNIS) is to jointly build and share with all stakeholders in the health system the definition of health investment guidelines and priorities, monitor how they are implemented and take stock of them in a concerted and transparent way for stakeholders.

The CNIS was set up in a cross-cutting spirit, bringing together all the fields of health in a dynamic of spatial planning for health: sanitary, medico-social, community and digital.

This new body, chaired by the Minister for Health and the Minister for Local Governance, brings together representatives of the community, hospital conferences, hospital and medical/social federations, local authorities, users and regional health agencies.

- Article 50 of the Social Security Financing Law for 2021

Under the Ségur health investment plan, a programme worth EUR 13 billion has been set up to enable public hospital service establishments to guarantee continuity and safety of care for patients, as well as to ensure the continued transformation of healthcare provision in the regions.

The measure includes a key objective of additional compensation for the costs of the public hospital service, allowing establishments to make the investments necessary to carry out their tasks.

In order to ensure fairness between regions and between public hospital service operators, and to ensure that all criteria and arrangements for adjustments in the hands of the Regional Health Agencies are transparent, it has become necessary to devise, at national level, a legislative and regulatory framework based on a specific contract concluded between the Agencies and the healthcare institutions benefiting from the measure. The obligation to apply this contractual framework was introduced in Article 50 of the Social Security Financing Law for 2021 and set out in Decree No 2021-868 of 30 June 2021 organising a support scheme for healthcare institutions providing the public hospital service pursuant to Article 50 of the Social Security Financing Law for 2021 (Law No 2020-1576 of 14 December 2020).

The contract includes a mechanism for the recovery of funding in the event that the costs associated with the objectives pursued are overcompensated or the commitments undertaken by the institution in the contract are not met.

All the allocations earmarked for the restoration of financial capacity resulted in contractual arrangements before 31 December 2021, giving rise to the entry of EUR 6.5 billion in the balance sheet of the signatory institutions for the 2021 financial year and the actual payment of EUR 1.4 billion by the primary health insurance funds in January 2022. The contractual phase relating to

the transformation of the healthcare provision will continue until 2028, in the course of the procedures for the appraisal of the structural projects concerned.

II. - For follow-up care and rehabilitation, and psychiatric treatment, the financing arrangements differ depending on the legal status of the institution:

Public and private non-profit-making healthcare institutions

Historically, these institutions were financed by means of an **annual operating allocation** ('DAF') provided for by law (former Article L. 174-1 of the Social Security Code). The envelope and regional distribution of this allocation were laid down in an interministerial order. The appropriations were then shared out by the Regional Health Agency on the basis of eight criteria listed in Article R. 162-32-3 of the Social Security Code (e.g. forecasted development of the activity, healthcare organisation plans, healthcare institution's costs compared with other institutions in the region, etc.).

Profit-making healthcare institutions

Historically, they were financed on the basis of the **daily rate**. The daily rates were set out by law in Article L. 162-22-1 of the Social Security Code. They were set down in contracts by the Regional Health Agencies by means of an addendum to the multiannual contract covering objectives and means, based on the missions carried out and the charges provided for in the institution's budget.

However, for psychiatry, two structural reforms are underway: the reform of the financing of psychiatry, which is aimed primarily at reducing regional inequalities, and licensing reform, which aims to improve the quality of treatment.

The publication of Decree No 2021-1255 of 29 September 2021 on the reform of the financing of psychiatry activities, adopted pursuant to Articles L. 162-22-18 and L. 162-22-19 of the Social Security Code, reaffirms the importance of mental health, defined as a priority under the 'My Health 2022' strategy.

This new funding is divided into eight separate allocations for healthcare institutions, with a significant proportion covered by the population-based allocation, which is distributed among the regions to reduce territorial inequalities and for which the calculation criteria are laid down by the Ministry of Health.

At the same time, the impact of the weighting of allocations based on the active patient population and the quality of encoding in overall funding strongly encourages institutions to take steps to improve the management of their activity data:

- The introduction of an active patient population allocation (Article R. 162-31-3.-I of the Public Health Code) amounting to 15% of the overall funding. Activity will be measured by three indicators (number of patients treated, number of days and number of arrivals) according to three specific treatment modes (full-time, part-time and outpatient).

- A component reserved for the quality of the encoding of medical information (Article R. 162-31-3.-II of the Public Health Code) measured based on the exhaustiveness, compliance and consistency of the data sent by the establishments.

The gradual rollout of the measures is scheduled to take place from 1 January 2022 to 31 December 2025, to absorb the increase in payments following the changes to the funding model.

For follow-up care and rehabilitation activities, a new funding model is being rolled out for full entry into force on 1 January 2023.

The new financing model for follow-up care and rehabilitation combines a population-based allocation (40% of funding) aimed at reducing regional inequalities, two ongoing funding components (financing of stays based on national rates representing 50% of the funding and financing of costly medicines accounting for 1%), as well as components dedicated to specialised activities and equipment (3% for general interest services and aid for contracting procedures (MIGAC), 2% for specialised technical platforms and 2% for paediatric funding).

Decree No 2022-597 of 21 April 2022 on the reform of the financing of follow-up care and rehabilitation activities details the financing reform and transitional arrangements up to the end of 2025. It specifies the mixed financing of this activity, provided for by law, i.e. a lump sum calculated on the basis of national service provision rates and a flat-rate allocation. It also lays down the arrangements for the payment of allocations and the lump sum to the establishments, as well as the breakdown of those amounts by region and then by establishment, in accordance with distribution criteria. The list of proprietary medicinal products in the field of follow-up care and rehabilitation is also specified; the decree lays down the listing criteria and their coverage and delisting conditions. Finally, it lays down several transitional provisions between 2023 and 2025, including the possibility of a monthly payment to establishments in the form of advance payments for 2023, before notification of the amounts mentioned above by the Director-General of the Regional Health Agency.

This decree also creates a section responsible for issuing an opinion on the allocation of resources for follow-up care and rehabilitation activities within the Resource Allocation Committee attached to each Regional Health Agency.

III. – Community hospitals

- The historical financing model for community hospitals:

The Social Security Financing Law (LFSS) for 2015 introduced the principle of mixed supplemental funding, combining case-based payments and flat-rate allocations for a category of health establishments known as ‘community hospitals’ and characterised by a particular volume and type of activity.

The main aim was to offer an alternative to the case-based payments model for former local hospitals, financed by extensions of historic allocations and for some of which the entry into ordinary law would have resulted in very significant losses of revenue. The purpose of the concept of the ‘community hospital’, introduced in the Public Health Code in 2015, was thus to provide supplemental funding arrangements to the case-based payments model for establishments with small numbers of general hospital admissions. The implementing decree also lays down criteria relating to the vulnerability of and deprivation in the area as a condition for eligibility. This dimension is one of the components of the financing model: it modulates the revenue threshold at which these institutions are eligible. The other services will continue to be financed in accordance with the rules of ordinary law.

As part of the 'Ma Santé 2022' (My Health 2022) plan announced by the President of the Republic on 18 September 2018, an in-depth reform of the model for the organisation of community hospitals has been initiated. This was first reflected in the adoption of Article 35 of the Law of 24 July 2019 on the organisation and transformation of the health system (the OTSS Law), which redefines community hospitals by virtue of the tasks they carry out and their interlinked operation with local stakeholders.

The 2016 funding model subsequently proved too restrictive to fulfil the ambition of a reinvented relationship between hospital and town, which is at the heart of the reform of community hospitals. Therefore, from the beginning of the reform, the revision of the financing arrangements of these institutions was identified as a lever to support these developments. The proposed provisions are fully in line with the government's strategy of moving away from exclusively using the case-based payment model (T2A); this strategy was reaffirmed in the context of the Ségur health investment plan.

- A new funding model adapted to the new missions of community hospitals:

Since the aim of the community hospital funding model is to decompartmentalise the activities of the actors involved and to streamline care pathways, the annual activity volume is no longer its sole 'core' aspect. Article 33 of the Social Security Financing Law (LFSS) for 2020 thus amends Article L. 162-23-16 of the Social Security Code and proposes the following model for financing community hospitals:

- On the one hand, by means of a multiannual financing guarantee which secures revenue from medical services and at the same time enhances the dynamism of the establishment;
- On the other hand, via a territorially-managed allocation to finance tasks carried out in relation to the stakeholders in the territory.

The proposed model is intended to offer security for establishments while acknowledging the expansion of the tasks carried out by community hospitals. Reflecting the ambition to bring together stakeholders around decompartmentalised regional projects and to redesign the different levels of hospital care through the issues of accessibility, quality and safety of care, Article L.6111-3-1, as amended, of the Public Health Code establishes a new framework for defining community hospitals. The hospitals will contribute to strengthening the community-based offer by providing support to those involved in primary healthcare, helping to maintain treatment for vulnerable populations as close as possible to where they live, engaging in preventive measures and including collective response as part of the permanence and continuity of care in their territory. These tasks are intended to be carried out by means of a collective approach involving all actors in the same area, in particular the territorial health professional communities ('communautés professionnelles territoriales de santé', CPTS), and in tandem with the existing offer. Finally, these establishments will perform medical services, offer specialist consultations, and provide access to technical platforms and telehealth equipment. They will not carry out surgery or obstetrics but may hold any other authorisation for treatment (follow-up care and rehabilitation, emergency medicine, home hospitalisation, etc.) or services (e.g. local perinatal centres) in response to the needs of the area.

This Article was also supplemented in 2021 by the publication of an order issued pursuant to Law No 2019-774 of 24 July 2019 on the organisation and transformation of the health system and relating to two points:

- the arrangements for the governance and operation of community hospitals. The text states that community hospitals will set up organisational arrangements on their territory facilitating

the emergence of joint and decompartmentalised projects, fostering coordination with health projects implemented by the territorial health professional communities (CPTS).

- the certification of community hospitals as part of a voluntary approach by healthcare establishments and a commitment to carrying out tasks defined in close cooperation with local stakeholders. The suitability of the project for the missions of community hospitals will be assessed by the Director General of the Regional Health Agency (ARS). Article L.6111-3-2 of the Health Code was also supplemented by a specific implementing decree published on 12 May 2021 and the publication of the Order of 2 June 2021 on the certification of community hospitals by the Directors-General of the regional health agencies, which makes available a national application file, completed by the applying establishment and examined by the agency.

Typical arrangements for avoiding and repaying any overcompensation.

In general terms, the rate-setting method enables any overcompensation to be avoided because it is based on the analysis of costs incurred by healthcare institutions for the various services covered by the mandatory health insurance schemes. The **national costs study** (étude nationale des coûts – ENC), which involves a common methodology, in principle ensures the absence of overcompensation, since the allocated amounts are mainly calculated using the rates resulting from the costs of the activity performed. Under the rate neutrality principle, rates must be as neutral as possible, by remaining as close as possible to costs.

In addition, Article L.162-23-13 of the Social Security Code provides for an **invoicing review mechanism**, which aims to ensure that the services invoiced by healthcare institutions correspond to the activity actually performed. In the event of non-compliance with the invoicing rules, a procedure for the health insurance fund to recover sums unduly received is applied, and penalties may also be imposed by the Director-General of the Regional Health Agency.

Appropriations from the MIGAC allocation are allocated in such a way that, as far as possible, they correspond to the tasks performed by healthcare institutions. In the measure introduced by the Organic Law on the Budget of 1 August 2001, budget appropriations are no longer justified by distinguishing between services adopted / new measures, but rather on a 'full justification' basis. This Organic Law in fact states that the State budget is henceforth structured in terms of public policy goals and checked against the results. Thus the use of appropriations entered in the budget is justified in terms of the analysis of the cost and performance of each programme and measure, on the basis of full justification (from the first euro and not only for new measures).

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

Rates are set in a collaborative and transparent manner and, in general, the financing model for healthcare institutions is produced in the same way. The methodology arising from research into costs, which is the basis for part of the annual modifications, is published on the website of the Technical Agency for Hospitalisation Information (ATIH). Information is also available to the

public on the Scansanté website (www.scansante.fr): summary data such as medical statistics per group (homogeneous patient group, etc.), diagnosis, intervention or use of medicines and implantable medical devices, as well as Hospi-Diag performance indicators, case mix per institution, appeal rates, mapping of activities of institutions, the national cost framework, etc.

Every year the financing of healthcare institutions is the subject of a detailed report submitted to Parliament under Article L.162-23-14 of the Social Security Code.

Moreover, the amounts for education, research, reference and innovation missions (MERRI) are published on the website of the Ministry of Health (<http://solidarites-sante.gouv.fr/systeme-de-sante-et-medico-social/recherche-et-innovation/l-innovation-et-la-recherche-clinique/article/les-missions-d-enseignement-de-recherche-de-reference-et-d-innovation-merri>), thereby ensuring compliance with the transparency requirements in the 2012 SGEI Decision.

Furthermore, the amount allocated to healthcare institutions by the Regional Health Agency is set out in an order published in the region's compendium of administrative acts, whatever the amount may be.

Amount of aid granted

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

2020	2021
EUR 89 300 million (implementation of the national health insurance expenditure target - hospitals)	EUR 93 500 million (implementation of the national health insurance expenditure target - hospitals) (forecast)

Source: Social security accounts commission (CCSS). Report, September 2021 Results for 2020 and forecasts for 2021 and 2022

ANNEXES



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Exemple
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Exemple
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2.2. Social services (Article 2(1)(c))

a) Childcare

Section 2 a) childcare
Clear and comprehensive description of how the respective services are organised in your Member State
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list the contents of the services entrusted as SGEI as clearly as possible.
<p>The SGEI definition applies to all establishments and services for the non-permanent reception of children below the age of six, which are also known as reception establishments for young children ('établissements d'accueil de jeunes enfants', EAJEs), located in French territory, including the overseas departments, covered by the second paragraph of Article L. 214-1-1(I) of the Social Action and Families Code and holding an operating licence issued by the competent authority, that is to say the President of the Departmental Council in the case of private managers and, in the case of public managers, the local authority, most often the mayor after consultation with the PMI (mother and child welfare) Service. This means that nursery schools, for example, are not covered by the definition.</p> <p>Reception establishments managed directly by local authorities account for the majority of the sector: 59.5% of places are managed by a local authority (municipality, collection of municipalities, municipal social action centre (CCAS)), 22.8% are managed by associations, 12.8% by the for-profit sector and 4.9% by other types of managing bodies (mutual societies, departments, State, CAF (Family Allowances Fund), hospitals).</p> <p>The tasks of reception establishments for young children are defined in Article. These establishments:</p> <ol style="list-style-type: none">1. ensure the health, safety, well-being and physical, mental, emotional, cognitive and social development of the children placed in their care;

2. contribute to the education of the children with due regard for parental authority;
3. contribute to the inclusion of families and early socialisation of children, especially those experiencing poverty or an unstable home life;
4. implement a reception model fostering inclusion for families and children with disabilities or chronic illnesses;
5. help parents of young children balance their family, professional and social life, in particular for those seeking employment or taking steps towards social and professional integration, and single-parent families;
6. promote equality between women and men.

A national charter for the reception of young children, adopted by order of the Minister responsible for families, lays down the applicable principles.

These non-permanent reception establishments for young children include ([Article R2324-17 - Public Health Code](#)):

1. Collective crèches: collective reception establishments which receive children on their premises on a regular or occasional basis, including establishments offering short-term childcare (day nurseries);
2. Kindergartens: collective childcare facilities which exclusively receive children aged 18 months and above;
3. Family crèches: services providing regular or occasional childcare by the registered childminders referred to in [Article L. 421-17-1 of the Social Action and Families Code](#), who are employees of those services.

A single establishment or service classed as a multi-use day-care centre can combine collective and family crèches or regular care with drop-in childcare services.

All these establishments and services may organise childcare on an occasional or seasonal basis only.

All these establishments and services may be under parental management.

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

There are several forms of entrustment, which are associated with particular sources of funding.

1. Agreements concluded by the Family Allowances Fund ('Caisse d'allocations familiales', CAF)

EAJEs are funded by the family-services branch of the social security system through two instruments, which are the subject of a formal agreement. Within these establishments, the

crèches funded by the single service allowance ('prestation de service unique', PSU) can be collective, family or parental, and of any size. In 2020, the family-services branch financed 12 709 EAJEs via the single service allowance. These establishments offer 417 236 childcare places

The single service allowance (PSU):

The single service allowance can be allocated to the EAJEs referred to in [Article R2324-17 - Public Health Code](#).

It is governed by an agreement concluded between the Family Allowances Fund and the manager of the EAJE.

This agreement may be regarded as an entrustment act within the meaning of the Commission Decision of 20 December 2011. In fact, the agreement, or the circular from the National Family Allowances Fund (CNAF) to which it refers, specifies all of the required indications (the content and duration of the public service obligations, the undertaking and territory concerned, etc.) with the exception of the reference to the European Commission Decision of 20 December 2011. A study on how its requirements are to be integrated is being carried out in the context of the redesign of the system of agreements.

The Childhood and Youth Contract (CEJ):

The Childhood and Youth Contract is a financing and performance agreement concluded between the Family Allowances Fund and a local authority, an association of local authorities or an undertaking. Its purpose is to pursue and improve policies for the development of care provision for children and young people by focusing its support on areas that are least well served in terms of the satisfaction of identified needs. It provides a PSU top-up which targets the development of service provision. A specimen contract is reproduced in the annex.

The territorial bonus linked to the signing of an overall territorial agreement (CTG)

Introduced in 2020, the territorial bonus gradually takes the place of funding under childhood and youth contracts (CEJs), as they are renewed. It consists of subsidised funding associated with the signing of an overall territorial agreement (CTG)

Ultimately, in addition to the single service allowance, the CTG provides for flat-rate funding instead, targeted at social and territorial levelling up. Since 2019, the operating subsidies provided by the Family Allowance Fund have been structured around three axes:

- hourly-based funding, via the single service allowance, which subsidises the activity of the facility and forms the basis for the funding of EAJEs;
- funding based on childcare places, linked to the characteristics of the territories and the groups accepted. It makes it possible to grant top-up lump sums to managing bodies which welcome people from low-income families ('social mix' bonus) or who have a disability ('disability inclusion' bonus), or who operate in areas which have been the subject of a territorial contract with the Family Allowance Fund ('territory' bonus). The

<p>'territory' bonus will enter into force from 2020 and will be the subject of a subsequent circular;</p> <ul style="list-style-type: none"> - project-based funding via public and regional funds to support innovative approaches in terms of quality of educational projects and social inclusion.
<p>2. <u>Public procurement and delegated management of public services</u></p> <p>Municipalities have the option of using delegated management for their municipal crèches.</p> <p>This delegated management takes two forms.</p> <p>Territorial authorities can award a public EAJE contract to reserve all or some of a managing body's childcare places. They then pay the price for that reservation agreed in the contract.</p> <p>They can also delegate the management of the service to a provider as part of a public service delegation. The management is then taken over by the delegatee, who is responsible for management and is remunerated for the service.</p>
<p>Average duration of the entrustment (in years) and the proportion of entrustments that are longer than 10 years (in %) per sector. Specify in which sectors SGEI were entrusted with a duration exceeding 10 years and explain how this duration is justified?</p>
<p>The maximum duration of the single service allowance (PSU) award agreement cannot exceed 5 years.</p> <p>The Childhood and Youth Contract (CEJ) was signed for 4 years. The last contracts are due to expire by the end of 2023. The agreements for the granting of the territory bonus are modelled on the overall territorial agreements (CTGs), with a maximum duration of 5 years.</p>
<p>Explanation whether (typically) exclusive or special rights are assigned to the undertakings.</p>
<p>1. <u>Agreements concluded by Family Allowances Fund</u></p> <p>The PSU may be granted to managing bodies regardless of their legal status – public or private corporate entities such as associations, local authorities, undertakings, mutual-benefit societies, other societies, hospitals or works councils, provided that they apply the rules laid down in CNAF circular No 2014-009 of 26 March 2014. The procedures for PMU payments to private corporate entities, undertakings or associations managing EAJEs are identical to those that apply to other managing bodies.</p> <p>2. <u>Public procurement and delegated management of public services</u></p> <p>Even in cases in which the manager of a crèche is entrusted with the provision of childcare services for the children of local-authority staff, the latter are under no obligation to use the crèche for their children. In other words, private corporate entities, including undertakings, do not enjoy any exclusive or special rights.</p>
<p>Which aid instruments have been used (direct subsidies, guarantees, etc.)?</p>

See answer to question below
Typical compensation mechanism as regards the respective services and whether a methodology based on cost allocation or the net avoided cost methodology is used.
<p>1. <u>Agreements concluded by Family Allowances Fund</u> <u>The single service allowance (PSU):</u></p> <p>The PSU corresponds to 66% of the hourly cost price of an EAJE and is payable up to a ceiling set by the CNAF after deduction of the family contribution, which is determined on the basis of a national scale. This funding method encourages a sharper focus on the specific needs of families, in that it does not entail a minimum attendance requirement, and universal access, in that a low rate of family contribution is offset by a higher amount of PSU.</p> <p><u>The childhood and youth contract (CEJ):</u></p> <p>The financing of the CEJ is subject to strict conditions, which are set out in CNAF circular No 2006-076 on the CEJ. The allowance for childhood and youth services takes the form of a capped annual lump sum expressed in euros, providing transparency for the contracting party throughout the term of the contract. The lump sum is calculated on the basis of a cost price negotiated within the limit of maximum prices set by the CNAF and funding of up to 55% of the remainder, which is subject to capping. These funding rules serve to guarantee optimum management of facilities. A fraction of the funding may be set aside to finance the development of pilot projects. While the provision of reception services must account for at least 85% of the amount of the allowance, a maximum of 15% may be allocated to such pilot projects.</p> <p><u>The 'territory' bonus</u></p> <p>Its amount, which was increased in 2021 under the Early Childhood Recovery Plan, is adjusted according to the median living standards of families and the per-capita financial potential of the territory. Childcare places in the priority urban ('QPV') and rural ('ZRR') areas benefit from the maximum amounts:</p> <ul style="list-style-type: none"> - for new places, the bonus ranges from EUR 2 600 to EUR 3 600 per place; - for existing places, the bonus covers the financing of childhood and youth contracts and is at least EUR 400 to EUR 1 700 per place. This minimum funding is of benefit to places that previously received little or no funding through the childhood and youth contract. The aim of increasing this minimum amount is to ensure that funding acquired in relation to 'existing' and 'new' places gradually converges. <p><u>The 'social mix' bonus</u></p> <p>The 'social mix' bonus, introduced from 2019 onwards, aims to compensate the managing body for revenue foregone as a result of the lower average take-up associated with children in poverty. This new operating subsidy is based on the following principles:</p> <ul style="list-style-type: none"> - the bonus depends on the average hourly amount of family contributions received by the establishment;

- the bonus is between EUR 300 and EUR 2 100 for establishments with average family contributions of less than EUR 1.25 per hour;
- the bonus applies to all places in the establishment: the aim is to facilitate the adaptation of the childcare project to better respond to the specific needs of these groups.

Disability inclusion bonus

The 'disability inclusion' bonus, introduced in 2018, aims to compensate the risk of lost revenue and extra costs in order to promote the care of children with disabilities. The aim is to help all establishments to put in place the necessary adaptations by being mindful of the need to avoid placing all children with disabilities in targeted establishments and by ensuring the necessary proximity to the parents' place of residence.

The amount of the 'disability inclusion' bonus depends on the percentage of children with disabilities attending the establishment. A maximum of EUR 1 300 per place per year can be awarded, paid from the moment a child with a disability is enrolled in the crèche. After being limited in 2018 to children in receipt of the 'education allowance for children with disabilities' (AEEH), in 2020 the award criteria for the 'disability inclusion' bonus were extended to cover children undergoing a disability assessment.

2. Public procurement and delegated management of public services

Municipalities may have recourse to public procurement. In the context of delegated management, the price which may be paid by the public authority must be compatible with the arrangements for allocating aid from the Family Allowance Funds.

Typical arrangements for avoiding and repaying any overcompensation.

1. The single service allowance (PSU):

The Family Allowance Fund carries out on-the-spot checks to verify the data submitted by the partners in order to verify that the signed agreements are correctly applied. If a non-compliance is identified, recommendations are sent to the managing body, accompanied, where appropriate, by a financial impact notice (undue payment or reminder). Serious non-compliance may lead to suspension or termination of the agreement leading to funding being discontinued.

2. The childhood and youth contract (CEJ):

The monitoring of contracts is based on checking the proper implementation of the measures and compliance with the conditions signed by the partners. Failure to comply with the commitments may lead to the termination of the contract by the Family Allowances Fund.

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

link to this website), or alternatively explain if and how the publication takes place at the level of the body granting the aid (e.g. central, regional or local level).	
Amount of aid granted	
Total amount of aid granted (in millions EUR)¹. This includes all aid granted in your territory, including aid granted by regional and local authorities. (A+B+C)	
2020	2021
EUR 400.585 million	Not available
A: Total amount of aid granted (in millions EUR) paid by national central authorities	
2020	2021
EUR 264.870 million	Not available
B: Total amount of aid granted (in millions EUR) paid by regional authorities	
2020	2021
EUR 0.890 million	Not applicable
C: Total amount of aid granted (in millions EUR) paid by local authorities	
2020	2021
EUR 134.825 million	Not available
Share of expenditure per aid instrument (direct subsidy, guarantees etc.) (if available)	
2020	2021
Not applicable	Not applicable
Additional quantitative information (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings)²	
2020	2021
Refer to the 'For-profit sector' column in the table on the breakdown in EUR of crèche funding by single service allowance + contact hours + social mix bonus + disability bonus in	Not available

¹As stipulated in Article 9 b) of the 2012 SGEI Decision.

²The Commission would welcome any data that you might have on aid granted under the 2012 SGEI Decision, for example the number of beneficiaries per sector, average amount of aid, amount per aid instrument, size of the undertakings, etc. Should such other quantitative information data not be readily available in your Member State, they can of course be presented in a more aggregated and/or estimated way. In that case please indicate that estimations have been used as well as the type of aggregation made.

2020 (actual entitlements) by type of facility and status of the managing body	
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- Breakdown EUR of crèche funding by single service allowance + contact hours + social mix bonus + disability bonus in 2020 (actual entitlements) by type of facility and status of the managing body

	State Administration, Region, Department	Association	Other public administrative establishments	CAF (Family Allowance Fund)	Local social welfare centres	Municipalities	Associations formed by municipalities	Hospitals	Mutual societies	Information not available	For-profit sector	Grand total
CRECHE	18337016	94615861	7144418	903035	30849543	270700356	21761620	28487043	1224403	607794	14239819	488870908
DAY CARE CENTRE	106352	24179288	524860	1065055	5460694	31743670	5042143		149779	192954	1026717	69491513
Kindergarten		9611677			922666	5534808	1100978	70583			1497754	18738466
Micro crèche	56538	15543592	355473		1431230	4925451	9895371	68343	1043725	229048	6478689	40027461
'FLEXIBLE' CHILDCARE CENTRES	3123382	320765505	29681771	2870883	74071473	351746592	158890540	14725667	17837306	3215830	227644932	1204573881
Grand total	21623288	464715923	37706522	4838973	112735606	664650878	1966906527	43351637	20255213	4245626	250887911	1821702228

- PSU model agreement



1-1_Convention_unique_Ps_Eaje_avec_b

- b) Access to and reintegration into the labour market

1) Section 2 social services [Article 2(1)(c)]
Category 2 c) access to and reintegration into the labour market
Clear and comprehensive description of how the respective services are organised in your Member State
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list the contents of the services entrusted as SGEI as clearly as possible.
APEC (Executive employment agency): <ul style="list-style-type: none"> - Provide services that benefit all managers and higher education graduates, as well as specific services tailored to particular situations addressing the needs of the intended beneficiary groups. - Provide services for employers to secure the recruitment for undertakings by means of appropriate information and advice. - Collect and disseminate management vacancies.

- Develop a study and labour market monitoring programme for executives in order to find out more about this actual market and disseminate the results.

Employment Office (Pôle Emploi):

- jobseeker support activities: four types of support: monitoring, guiding, reinforcing and comprehensive support; intensive support for young people; Equip Emploi
- recruitment support for undertakings: intermediation, support for recruitment, promotion of profiles;
- anticipation of labour market needs and developments.

Agefiph (Agency promoting employment of people with disabilities):

- raising awareness and mobilisation of economic and social players on the subject of disabilities;
- help for undertakings to foster the occupational integration and retention in employment of people with disabilities in the normal working environment;
- help for businesses to develop work placements for people with disabilities;
- help with the creation or resumption of activity;
- help with the occupational integration and retention of beneficiaries of the obligation to employ workers with disabilities;
- aid for developing career plans, qualifications and professional skills;
- Compensation for the consequences of disabilities throughout the person's career: help with the occupational integration and retention in employment, for the development of qualifications, for the adaptation of training situations, human and technical assistance to compensate for disabilities

Specialised Placement Agents (OPS):

The work of the Specialised Placement Agents (OPS - Opérateurs de placement spécialisés) matches the general interest tasks set out in Article L. 5214-3-1 of the Labour Code:

- the preparation, support, permanent monitoring and maintaining in employment of people with disabilities, including providing career advice;
- participation in the specific professional integration and support measure for workers with disabilities introduced by the State, the public employment service, Agefiph, and the Fund for the Integration of People with Disabilities into the Civil Service (FIPHFP - Fonds pour l'Insertion des Personnes Handicapées dans la Fonction Publique).

Second-chance schools:

Second-chance schools (E2C) offer training to young people aged between 16 and 25 who do not have a professional qualification or diploma. Based on an education philosophy that differs from traditional practices (personalised progression, significant involvement of companies), the aim of the E2C is social and professional integration of young people who need meet no criterion other than motivation, by helping them to build a personal professional project.

AFPA (Association for Adult Vocational Training):

The AFPA contributes to the public employment service referred to in Article L. 5311-1 of the Labour Code. It was declared a state-funded industrial and commercial public undertaking (EPIC)

on 1 January 2017 and is given the public service missions and obligations defined in Articles L. 5315-1 and paragraphs 1 to 3 and 4(a) of Article L. 5315-2 of the Labour Code.

As such, the AFPA plays a key role in:

1. The arrangement of professional certification on behalf of the State. The AFPA carries out initiatives on behalf of the Ministry of Labour to support the issuing of the Ministry's professional qualifications across the country and tasks relating to the development of these qualifications;
2. Training in emerging skills and trades; The State entrusts the AFPA with the task of monitoring and forward planning on the emergence of new activities and translating this into skills requirements, training and certification. This work is accompanied by a programme of studies drawing on strategic centres and national benchmarks (incubators);
3. The development of forward-looking expertise to anticipate local skills needs. As part of the Ministry of Labour's qualifications policy, the AFPA draws up a forward-looking analysis on the future evolution of jobs, trades and skills, drawing on a labour market analysis. This allows it to anticipate changes on the labour market and to draw conclusions on the skills requirements of businesses and local areas;
4. Support for agents responsible for professional career development advice and contributing to equal access nationwide to public employment and vocational training services and to the promotion of diversity in trades, in accordance with the first paragraph of Article L.5315-1 of the Labour Code. Alongside those responsible for career guidance and occupational integration, the AFPA's services, in line with this Article of the Labour Code, offer close assistance to ensure clear, secure routes into employment. As part of this task, Afpa carries out a number of measures for the Ministry of Labour to support and integrate vulnerable groups: Prépa Compétences (for long-term jobseekers), 1000 VAE (a scheme for the accreditation of prior learning for people newly arrived in the country) and Promo 16-18 (minors meeting the requirement for the training of early school leavers).

For activities in competitive sectors, following the conversion into a State-funded undertaking and the European Commission's requests relating to the 2016 Order, two subsidiaries, in the form of single-shareholder simplified joint-stock companies (SASU), carry out the competitive activities of training jobseekers and employees.

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

APEC (Executive employment agency):

The agreement on public service entrustment for APEC (2017-2021) sets out the public service tasks and indicates that the amount of the mandatory contribution received by APEC cannot exceed the amount necessary to cover the costs arising from the performance of those tasks. The entrustment defines the requirements and principles:

- cost accounting to distinguish between commercial activities and public service activities;
- exclusive use of the mandatory contribution for public service activities;
- compensation, avoidance and correction of any overcompensation;
- quest for efficiency by setting a productive efficiency target.

It also sets out the measures by which the State supervises the use of the mandatory contribution and the procedures for monitoring and evaluating the public service entrustment agreements.

Employment Office (Pôle Emploi):

The public service is entrusted through the law (Article L.5312-1 of the Labour Code) and the tripartite agreement between the State, Unédic (National union for employment in industry and trade) and the Employment Office (2019-2022). The law clarifies the nature of the public service mission and also the scope and general operating conditions of the Employment Office, whereas the agreement defines the strategic guidelines comprising the public service obligations to be fulfilled in a given period, as well as the associated indicators.

Agefiph (Agency promoting employment of people with disabilities):

The public service is entrusted in texts set out in the law (Article L.5214-1 et seq. of the Labour Code). The law lays down the methods of financing (contribution linked to the obligation to employ workers with disabilities), nature of the public service mission, and also the scope and general operating conditions of the institution.

An agreement on targets for 2021-2024 was signed by the State and Agefiph on 19 July 2021.

Specialised Placement Agents (OPS):

The texts which form the basis of the public service entrustment are the Law of 11 February 2005 which grants the OPS a public service task in the context of the professional integration of people with disabilities into ordinary workplaces (Article L. 5214-3-1 of the Labour Code), complementing the public employment service, and Article 101 of the Law of 8 August 2016 extending the mission of OPS to maintaining people in employment from 1 January 2018. The Law defines public service missions, while the multiannual objectives agreement signed at regional level by the OPS, the State, Agefiph and the FIPHFP defines the OPS' commitments to implement the general economic interest project aimed at ensuring the preparation, support, permanent monitoring and maintaining in employment of people with disabilities.

Second-chance schools:

The entrustment is conferred by Article L. 214-14 of the Education Code which states that the State and the region must contribute to the training given under the conditions set out in the agreements.

Agreements lasting 3 years are thus concluded between the E2Cs and the Ministry of Labour's decentralised offices. The agreements in force for 2020-21 are the 2018-2021 Agreements. The State's financial contribution is set annually, during a management meeting, and is based on the school's needs and on a fixed rate per young person.

AFPA (Association for Adult Vocational Training):

The texts which form the basis of the public service entrustment are Order No 2016-1519 of 10 November 2016, ratified by Law No 2017-204 of 21 February 2017, which establishes within the public employment service a public institution tasked with vocational adult training, and codified in Articles L. 5315-1 et seq. of the Labour Code. The operation of this association is set out in Decree No 2016-1539 of 15 November 2016 on the public institution within the public employment service tasked with vocational adult training.

The public service missions are defined in Articles L. 5315-1 and paragraphs 1 to 3 and 4(a) of Article L. 5315-2 of the Labour Code. Every year, these public service missions are set out in an

action plan communicated to the AFPA. This document specifies all of the missions entrusted to the AFPA by the Ministry of Labour over a 1-year period, with a precise estimate of the costing and the man-days associated with each action. The financial breakdown of the action plan is addressed in a budget document validated by the DGEFP (general employment and vocational training delegation).

The budget lines in the action plan are fungible to allow them to be redeployed between different actions and based on the needs observed over the course of the year.

Moreover, the action plan and its financial annex can be amended to allow the AFPA to deploy new missions that arise during the year.

For the other arrangements referred to above, ad hoc agreements have been drawn up with Afpa to set out the public service obligations, the objective of the programme, the funding and the elements relating to the SGEI (transparency, recordkeeping, etc.) and the monitoring and control consultation procedures.

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

APEC (Executive employment agency):

APEC's public service entrustment agreement was signed for a period of 5 years (the current entrustment relates to the 2017-2021 period), which is also the period of validity of the Agency's strategic plan. This 5-year period already corresponded to the previous mandate covering the years 2012-2017.

A review of its application will be carried out by the Inspectorate-General of Social Affairs (IGAS) at the mid-point and the end of this agreement. The mid-term review could not be carried out. The new public service entrustment covering the period 2022-2026 was negotiated between the State, APEC's Directorate-General and its governing body. The new entrustment was thus signed on 6 September 2021.

Employment Office (Pôle Emploi):

The entrustment is renewed via the tripartite agreement (duration of 4 years) following a mid-term evaluation and a final evaluation. The tripartite agreement applicable for 2020-2021 is the Tripartite Agreement between the State, Unédic (National union for employment in industry and trade) and the Employment Office for 2019-2022.

Agefiph (Agency promoting employment of people with disabilities):

The law entrusts Agefiph with the public service tasks for an unlimited duration. The objectives agreement signed between the State and Agefiph on 19 July 2021 is for a period of 3 years.

Specialised Placement Agents (OPS):

The missions of the OPS are covered at national level in the national multiannual multipartite agreement 2017-2020. At regional level, the multiannual objectives agreement signed by the managing body of the OPS and the regional sponsors (State, Agefiph, Fund for the Integration of People with Disabilities into the Civil Service (FIPHFP), Employment Office (Pôle Emploi)) was concluded from 1 January 2018 to 31 December 2022, i.e. a 5-year period.

<p>Second-chance schools:</p> <p>The entrustment is renewed via a new agreement every 3 years following evaluation of the previous one. The agreements in force for 2020-2021 are the 2018-2021 agreements.</p> <p>AFPA (Association for Adult Vocational Training):</p> <p>The law entrusts the AFPA with the public service tasks for an unlimited duration. The action plan, which provides the framework for the public service activities entrusted to the AFPA giving rise to a State subsidy, is compiled and validated every year by the supervisory authorities to revise, remove or add public service tasks.</p> <p>In the same way, public service activities are extended annually by decision of the Ministry of Labour depending on their success and usefulness for disadvantaged groups who are not otherwise covered.</p>
<p>Explanation whether (typically) exclusive or special rights are assigned to the undertakings.</p>
<p><i>Not applicable</i></p>
<p>Which aid instruments have been used (direct subsidies, guarantees, etc.)?</p>
<ul style="list-style-type: none"> - Direct subsidies to operators - Mandatory contributions - companies
<p>Typical compensation mechanism as regards the respective services and whether a methodology based on cost allocation or the net avoided cost methodology is used.</p>
<p>APEC (Executive employment agency):</p> <p>The public service entrustment for 2017-2021 reads as follows: <i>‘The mandatory contribution paid by executives and companies is used only to finance the activities linked to the public service tasks set out in this agreement. The commercial activities of APEC may under no circumstances be financed directly or indirectly by this contribution and must therefore achieve a strictly independent financial balance. As APEC carries out activities in addition to these public service tasks, it has separate accounts for those activities benefiting from the proceeds of the mandatory contribution provided for in Article 3 of this entrustment and the activities not benefiting from this contribution, in accordance with Order No 2004-503 of 7 June 2004 transposing Directives 80/723/EEC and 2006/111/EC. To this end, APEC uses cost accounting which enables its income and expenditure to be distributed between the various activities and the results of each activity to be calculated. This measure is based on the generally accepted principles of cost accounting and is set out in Annex 1 to the current entrustment agreement’.</i></p> <p>Employment Office (Pôle Emploi):</p> <p>Article L.5312-7 of the Labour Code states that ‘the institution’s budget contains four non-fungible sections, each of which must show a breakeven figure [...] the contribution from the State and the contribution from the body managing the unemployment scheme shall be set at a level compatible with performance of the institution’s activities, taking account of developments in the labour market’.</p> <p>The 2019-2022 tripartite agreement specifies the funders’ respective contributions: financial projections for the public service subsidy paid by the State (monetary amount) and an annual contribution from Unédic (National union for employment in industry and trade) (11% of the</p>

resources referred to in Articles L. 5422-9, L. 5422-11 and L. 5424-20 of the Labour Code). The agreement states that *'the resources allocated to the Employment Office by the State and Unédic provide funding for the services entrusted to the Employment Office as Services of General Economic Interest (SGEI). The public service obligations undertaken by the Employment Office are specified in the agreement. The State verifies the absence of overcompensation in relation to the actual cost of the SGEI charges borne by the Employment Office.'* The cost accounting results are broken down by main mission category and sent every year [to the technical body for monitoring the tripartite agreement]; these results are also shared within the Employment Office's management board, on which the State is represented.

Agefiph (Agency promoting employment of people with disabilities):

The public service tasks of Agefiph involve the occupational integration and job retention of workers with disabilities in undertakings. Its resources are based on the gap between the obligation of undertakings to employ workers with disabilities (at least 6% of employees must be people with disabilities) and the number of actual jobs. The number of workers with disabilities in undertakings has an automatic effect on both the actions needed to promote their integration and the resources of Agefiph.

For establishments with 20 employees or more, 6% of the total number of their employees must be covered by the employment obligation (although all employers, including those with fewer than 20 employees, must declare workers with disabilities working for them since 1 January 2020). The annual declaration of the obligation to employ workers with disabilities was made for the first time in 2021, in respect of 2020, via the DSN (social security declaration) sent to the social security authorities.

They can meet all or part of this obligation by directly employing people with disabilities, irrespective of the employment contract (indefinite or fixed duration, subsidised contract, temporary post, internship, work experience), by applying an approved agreement or by paying a contribution to Agefiph.

The amount of this contribution, calculated per missing beneficiary, depends on the size of the undertaking: 400 times the gross hourly minimum wage (from 20 to 250 employees), 500 times the gross hourly minimum wage (from 250 to 749 employees) and 600 times the gross hourly minimum wage (+750 employees). This contribution can be reduced by three deductions:

- the number of jobs requiring special aptitude conditions (ECAPs) multiplied by 17 times the gross hourly minimum wage;
- purchase, subcontracting or service agreements with a suitable company, vocational rehabilitation centres, independent workers with disabilities or a freelancer working through an umbrella company, where this person is a beneficiary of the obligation to employ workers with disabilities;
- deductible expenses to encourage the employment, integration or retention of workers with disabilities.

The match between resources and needs is checked every year by the Ministry of Labour, Employment and Occupational Integration, when the Agefiph budget is approved. The resources and their use, as well as the intensity of actions according to the occupational integration and retention needs of workers with disabilities, are examined for this purpose.

Specialised Placement Agents (OPS):

Article L.5214-3-1 of the Labour Code defines the category of specialised placement agents responsible for the preparation, support, permanent monitoring and maintaining in employment

of people with disabilities, contributing to the specific support and occupational integration measure aimed at people with disabilities, implemented by the State, the public employment service, Agefiph and the FIPHP. This Article states that they have concluded an agreement with Agefiph, the FIPHP and the Employment Office.

Article 4 of the multiannual objectives agreement with the OPS defines the conditions for determining the amount of the financial contribution, mentioning for each of the three financing bodies the amount of the provisional budget for each strand and area concerned, plus the means of determining the final compensation paid to the OPS. The OPS uses cost accounting which allows it to meet the requirements for the management of services of general economic interest. The evaluation of Cap Emploi (Specialised Placement Agents) on the quality of the projects deployed and the associated costs, the results of which were reported in 2021, made it possible to verify that cost accounting was implemented by the OPS.

Second-chance schools:

Article L. 214-14 of the Education Code states that the State and the region must contribute to the training given under the conditions set out in the agreements.

The State's financial contribution is set annually (by the State and local authorities), during a management meeting, and is based on the school's needs and capacities, and on a fixed rate per young person.

AFPA (Association for Adult Vocational Training):

The entrustment on the AFPA's national public service missions, which involves the payment by the State of public service charge compensation of EUR 110 million, is defined in an annual action plan precisely setting out the activity to be carried out by the public institution. A financial annex to the action plan gives a breakdown of these appropriations by action. The AFPA's schemes are also financed by strict compensation for expenditure, defined in a financial annex setting out the expenditure lines per training pathway unit cost formalised by the supervisory authorities at the start of the financial year.

The methodology used to monitor the compensation mechanism for public service tasks is based on the principles of cost accounting, which were adopted in 2017.

Article R. 5315-10 of the Labour Code states that the Afpa must use cost accounting. It must comply with the management requirements for services of general economic interest and the evaluation requirements for public service obligations eligible for compensation, but must also guarantee the objectivity and non-subsidised nature of the costs imputed to competitive activities; more broadly, as a State-funded industrial and commercial public undertaking (EPIC), AFPA's cost accounting must make it possible to determine and analyse the cost of operations and assess their profitability.

Cost accounting principles were studied in the autumn of 2016, the aim being to identify any necessary modifications to be made. Subsequently, in the first half of 2017, AFPA defined the modifications to be made to cost accounting in order to meet the requirements set out in Commission Decision 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.

An audit was carried out in 2018 to develop cost accounting following the conversion into a State-funded industrial and commercial public undertaking (EPIC), allow the use of the public

service mission subsidy to be evaluated precisely, and show that the subsidiaries do not receive indirect subsidies. The other objective is to allow rebilling without markup to the subsidiary when the EPIC's resources are used, by measuring the production capacity and identifying a standard level of activity. Finally, the aim of design-to-cost, which was introduced on a trial basis in one region in 2019, is to provide a certified tool to signpost the various cost items and analyse all public service mission costs to the nearest euro.

Typical arrangements for avoiding and repaying any overcompensation.

APEC (Executive employment agency):

The 2017-2021 public service entrustment states that the conditions for compensating APEC's public service tasks were verified. They were examined in depth by the monitoring committee [...] and by the Inspectorate-General of Social Affairs (IGAS) during mid-entrustment and end-of-entrustment evaluations. Where the APEC action programmes result in surpluses indicating overcompensation, or in a deficit, revealing undercompensation, the monitoring committee must meet, when the accounts are closed each year, to examine the measures to be adopted. The overcompensation found at the end of the current public service entrustment will be repaid to the State budget once the APEC accounts for the year 2021 have been issued. The entrustment states that APEC must provide evidence of the absence of overcompensation to the State each year and that the State, represented by the DGEFP (Délégation Générale à l'emploi et à la formation professionnelle - General Employment and Vocational Training Delegation), will be invited to attend, without voting rights, the meeting of the APEC supervisory committee which will examine the financial and accounting operations of the association.

Employment Office (Pôle Emploi):

A number of checks allow the public authorities to ensure the absence of overcompensation for the Employment Office:

- cost accounting, and method of accounting in non-fungible sections; with only intervention, operating and investment expenditure being partly financed by the public service subsidy paid by the State and adopted in the Budget Law;
- check by the governing bodies of the Employment Office (management board, audit and accounts committee, evaluation committee);
- external checks provided for by the tripartite agreement: two external evaluations scheduled in 2021 (mid-term evaluation) and towards the end of the agreement, to be carried out by the Inspectorates-General of Finance and Social Affairs. Due to the late signature of the tripartite agreement and the health context, the external mid-term evaluation did not take place. The final evaluation is currently being carried out. Other inspection body reports, audits by the Court of Auditors.

Agefiph (Agency promoting employment of people with disabilities):

Agefiph is subject to administrative and financial control by the State, and in particular by the Comptroller-General for the Economy and Finance, whose task is to ensure that public money is correctly used. The Minister for Labour and Employment approves the Agefiph statutes. Every year the agency submits its budget to this Minister for approval.

Specialised Placement Agents (OPS):

Several inspections are carried out to ensure that there is no overcompensation:

- a method of evaluation set out in the multiannual objectives agreement with the OPS: the sponsors - State, Agefiph, FIPHP and the Employment Centre - carry out an evaluation of the quantitative and qualitative plans at least once a year (and whenever necessary), in the presence of the OPS, during an annual management meeting;
- the sponsors examine the financial report and the quantitative and qualitative report of the project for year N comprising all the components defined by the sponsors;
- the sponsors examine the annual accounts for the year N and the auditor's report provided for in Article L 612-4 of the Commercial Code or, where appropriate, the reference to their publication in the Official Gazette;
- establishment of the amount of payments by 1 October of year N+1 at the latest, based on verification of the absence of overcompensation and checks carried out by the sponsors in accordance with the commitments made in the multiannual objectives agreement;
- during the 3rd year of the agreement, a more comprehensive evaluation is carried out by the sponsors on the quality of the projects organised and the related costs (final report published in June 2021). These evaluations may, where necessary, give rise to audits and checks on the spot and on documents;

Second-chance schools:

The schools must have cost accounting, which is necessary for certification. Moreover, the accounts must be certified by an auditor.

AFPA (Association for Adult Vocational Training):

The State carries out administrative and financial monitoring on the AFPA. This consists of:

- Checking that the amount allocated to the AFPA does not exceed the financial cost of the public service missions and obligations arising from the application of Articles L. 5315-1 and paragraphs 1 to 3 and 4(a) of Article L. 5315-2 of the Labour Code;
- Assessing the conditions under which the action plan and the schemes' targets are implemented, in quantitative and qualitative terms. This assessment focuses on the compliance between the measures implemented and those defined in the operational breakdown of the action plan (Annex 1), the impact of the measures in relation to the public interest and the achievement of the stated objectives.

A management dialogue is held every year between the AFPA and the DGEFP (general employment and vocational training delegation) from year N+1 of the notification of the action plan. In this context, the AFPA undertakes to provide, at the latest 15 days before the management dialogue, a qualitative, quantitative and financial summary of the implementation of the previous action plan, broken down by pillar and region. In order to secure the utilisation of the appropriations allocated to the action plan for the national public service missions (MNSP) and to the schemes, several monitoring committees are scheduled for year *n* to analyse the budget monitoring tables provided for in the action plan and the various agreements.

Where the administrative and financial control reveals that the amounts paid were not used, or were used for purposes other than those mentioned in the current intervention framework and Annexes 1 and 2 thereto, the State will demand repayment of the sums unduly paid in accordance with the applicable legal and regulatory procedures.

The AFPA is also subject to administrative and financial control by the State (Comptroller-General for the Economy and Finance) whose task is to ensure that public money is correctly used and organise quarterly audit committee meetings with certain directors from the board.	
A short explanation of how the transparency requirements (see Article 7 of the 2012 SGEI Decision) for the aid above 15 million euro to undertakings that also have activities outside the scope of the SGEI are being complied with. In your answer please also include some relevant examples of information published for this purpose (e.g. links to websites or other references), indicate whether you have a central website on which you publish this information for all aid measures concerned in your Member State (if so, provide the link to this website), or alternatively explain if and how the publication takes place at the level of the body granting the aid (e.g. central, regional or local level).	
Amount of aid granted	
Total amount of aid granted (in millions EUR) This includes all aid granted in your territory, including aid granted by regional and local authorities. (A+B+C)	
2020	2021
APEC: EUR 125.270 million Employment Office (Pôle Emploi): EUR 4 991.1 million Agefiph (Agency promoting employment of people with disabilities) (budget implemented): EUR 488.7 million ‘Cap Emploi’ (Specialised Placement Agents) - excl. Agefiph funding: EUR 53.6 million Second-chance schools: EUR 62 million AFPA (Association for Adult Vocational Training): EUR 110 million MNSP + EUR 2.3 million Promo 16-18 + EUR 24.490 million Prépa Compétences + EUR 840K 1000VAE	APEC: EUR 136.213 million Employment Office (Pôle Emploi): EUR 5 699.5 million Agefiph (projection): EUR 553.4 million Cap Emploi (Specialised Placement Agents) - excl. Agefiph funding: EUR 53.6 million Second-chance schools: EUR 55.6 million AFPA (Association for Adult Vocational Training): EUR 110 million MNSP + EUR 41.4 million Promo 16-18 + EUR 14.653 million Prépa Compétences
A: Total amount of aid granted (in millions EUR) paid by national central authorities	
2020	2021
Second-chance schools: EUR 26.6 million AFPA (Association for Adult Vocational Training): EUR 110 million MNSP + EUR 2.3 million Promo 16-18 + EUR 24.490 million Prépa Compétences + EUR 840K 1000VAE	Second-chance schools: EUR 27.8 million AFPA (Association for Adult Vocational Training): EUR 110 million MNSP + EUR 41.4 million Promo 16-18 + EUR 14.653 million Prépa Compétences
B: Total amount of aid granted (in millions EUR) paid by regional authorities	

2020	2021
Second-chance schools: EUR 26.1 million	Second-chance schools: EUR 27.8 million
C: Total amount of aid granted (in millions EUR) paid by local authorities	
2020	2021
Second-chance schools: EUR 9.3 million (of which EUR 3.7 million for the departments)	Second-chance schools: amount not currently available
Share of expenditure per aid instrument (direct subsidy, guarantees, etc.) (if available)	
2020	2021
Additional quantitative information (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings)	
2020	2021
<p>APEC: Number of managers and recent graduates using APEC services: 131 968 beneficiaries</p> <p>Employment Office: Number of job seekers on file: 3 728 298</p> <p>Second-chance school: 14 188 young people accepted.</p> <p>Cap Emploi (Specialised Placement Agents): 218 000 people and 158 000 employers called on the services of Cap Emploi</p>	<p>APEC: Number of managers and recent graduates using APEC services: 150 797 beneficiaries</p> <p>Pôle Emploi (Employment Office): Number of job seekers on file: 3 333 061</p> <p>Second-chance school: 15 268 young people accepted.</p> <p>Cap Emploi (Specialised Placement Agents) (these data are now combined with Pôle Emploi (Employment Office) as part of an integrated service offering): 197 813 returnees to work, 233 637 long-term jobseekers supported.</p> <p>Cap Emploi (Specialised Placement Agents): 46 083 persons supported to remain in employment</p>

- c) Social housing
- Social housing

Section 2 social services [Article 2(1)(c)]
Category 2(d) Social housing
Clear and comprehensive description of how the respective services are organised in your Member State
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list the contents of the services entrusted as SGEI as clearly as possible.
<p>Article L.411-2 of the Construction and Housing Code defines the social housing SGEI as follows:</p> <ul style="list-style-type: none"> - the construction, purchase, improvement, allocation, management and transfer of capped-rent rental housing, where this is intended for persons whose income is below the ceilings set by the administrative authority for the allocation of subsidised rental housing under the conditions defined in Article L.351-2 and access to which is subject to means testing. - the conducting of ownership access operations aimed at persons whose income is below the ceilings set by the administrative authority for the allocation of subsidised rental housing under the conditions defined in Article L. 351-2 and access to which is subject to means testing. However, the service of general interest also includes, up to a limit of 25% of the housing sold by the body, operations aimed at persons on middle incomes whose means exceed the aforementioned ceilings, without exceeding the ceilings set in Book III, Title IX, where all the operations are accompanied by guarantees for the person accessing ownership under the conditions laid down by Council of State decree; -the management or purchase with a view to resale, with the agreement of the mayor of the municipality concerned and of the State representative in the département, of housing situated in co-owned properties affected by major operating difficulties or covered by a rescue plan pursuant to Article L.615-1 or by a planned operation for the improvement of housing referred to in Article L. 303-1 and, for a maximum period of 10 years from the initial transfer, the management of co-owned properties resulting from the transfer of the rental housing referred to in the ninth paragraph, while the selling body remains the owner of housing; - ancillary services to the aforementioned operations.
Explanation of the (typical) forms of entrustment . If standardised templates for entrustments are used for a certain sector, please attach them.
Public service tasks entrusted to social housing operators are assigned by means of an official, legislative act of the public authorities. Once operators have obtained approval, enabling them to become involved in the social housing SGEI, the main elements of this entrustment are explicitly set out in Article L.411.2 of the Construction and Housing Code, as well as in other

articles of this Code, which particularly define the housing allocation rules to which social housing operators are subject and the personalised housing assistance agreements (APL), which specify the nature of the entrustment for each programme (e.g. the applicable resource ceilings and rent ceilings).

The Construction and Housing Code also lays down the legal regime for the various categories of social housing bodies involved in this entrustment (public housing offices, low-cost housing bodies formed as limited companies and co-operatives, semi-public companies, bodies carrying out project management activities and benefiting from the approval provided for in [Article L. 365-2](#)). These bodies are overseen by the State. As regards legal persons governed by private law, they can only conduct their activity within the scope of social housing once State approval has been issued.

Moreover, the Housing and Anti-Exclusion Law No 2009-323 of 25 March 2009, codified for the low-cost housing bodies in Articles L.445-1 et seq. of the Construction and Housing Code, and in Article L.481-2 of the same Code for semi-public housing construction bodies, makes the conclusion of social utility agreements with the State compulsory for all low-rent housing bodies (organisations for people with disabilities (OPH), low-rent housing corporations (SA HLM) and cooperatives (COOP)), as well as semi-public bodies approved for social housing, and also lays down financial penalties where bodies refuse to engage in the preparation process or seriously breach their obligations under an agreement. In addition to provisions concerning the body's asset and investment policy (including sales), these agreements include undertakings relating to service quality and social management. These serve to translate the aims of national housing policy into asset-related and social objectives, particularly as regards the enforceable right to housing and housing allocation, and also adapting the supply of social housing. Where appropriate, the bodies are required to set out their activities in respect of sheltered housing, their activities to help people on low incomes access property ownership and their accommodation policy.

These agreements include performance indicators through which bodies undertake to meet quantified targets, particularly as regards the improvement of their assets. These indicators are defined on the basis of the strategic asset plan required by law. This plan is based on a multi-factor analysis of the assets, focusing particularly on their quality and appeal, as well as on the body's financial capacity.

The preparation of this plan requires the low-cost housing sector to have a strategic, forward-looking vision for the development of an appropriate supply and for the short-term and long-term asset improvement and maintenance programme.

The indicators associated with the undertaking to maintain and improve existing assets are set out as follows in the agreements:

- number of dwellings with an A to E label after energy renovation, from properties with an energy class of F or G, per year;
- number of dwellings subject to at least one energy label change after renovation;

- number of refurbished dwellings, when the refurbishment operation was eligible for a loan from the Caisse des dépôts et consignations (Deposits and Consignments Fund), among the total housing stock, per year.

Laws 2017-86 of 27 January 2017 on equality and citizenship and 2018-1021 of 23 November 2018 on housing development, planning and the digital environment have changed the content of the agreements. Decree No 2019-801 of 26 July 2019 lays down the indicators to be applied to the new generation of social utility agreements, with effect from 2019. In addition to monitoring the indicators, these agreements are also intended to serve as the basis for a permanent dialogue between the services of the State and each social housing body.

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

The entrustment has no time-limit. As the ability to provide the social housing SGEI and therefore benefit from State aid depends on the existence of this entrustment, its duration systematically exceeds 10 years. This long time period is justified in particular by the size of the investments made by social housing bodies.

There are also specific protective provisions. Thus, the transfer of such housing, besides being extremely tightly regulated (Article L.443-7 et seq. of the Construction and Housing Code), does not extinguish the public service obligations associated with that housing (Articles L.411-3 and L.411-4).

Generally speaking, the SGEI has a watertight structure: the result of the SGEI activity has been accounted for separately and, since 2021, the equity resulting from that activity is also accounted for.

Where the organisations are companies, the share of profit resulting from the SGEI activity redistributed to shareholders is limited ('Livret A' rate + 1.5%).

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

Only bodies and undertakings falling within the category of social housing bodies recognised by law and approved or created by decree can perform the SGEI of social housing and thus benefit from State aid.

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

Direct aid, loans and guarantees are used.

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

1. Social housing organisations benefit, for their SGEI activity, from public aid for the production of social housing.

The approval decision granted to an operation (by the State services or by the local authorities entrusted with awarding building subsidies) enables operators to obtain preferential financing from the Caisse des dépôts et consignations (Deposits and Consignments Fund), which are the subject of loan agreements mentioning the social nature of the housing financed. The rates of

the loans granted differ according to the type of housing financed (PLAI, PLUS, PLS (all types of subsidised social-housing loan)): the higher the social returns (rent ceilings, resource ceilings), the lower the rates are. These subsidies are detailed in the attached aid table, for the State under the heading 'Loan subsidies', plus the PEEC (social housing levy) under the heading 'Loan subsidies'.

It also gives them the opportunity to benefit from tax incentives, the provisions of which are laid down by legislation. For the construction of social housing, operators benefit from an exemption from property tax on buildings for 25 years (which can be extended to 30 years under energy performance conditions) as well as a reduced VAT rate (5.5% in the sector of improving access to home ownership for people on low incomes and in the subsidised housing sector for dwellings financed by a 'PLAI' or a 'PLUS' low-income rental housing loan where they fall under urban renewal policy, and for certain works on such dwellings or contributing to urban renewal; in other cases, the rate is 10%).

The details of these fiscal aid measures are shown in the attached detailed aid table. For State aid: under the following headings: 'Exemption from property tax on buildings (TFPB) for 15 years', 'Exemption from corporation tax', 'Reduced rate of VAT', 'Relief on property tax on buildings as a result of energy efficiency works'. For aid from local and regional authorities: under the heading 'Exemption from property tax on buildings (TFPB) not offset'.

Finally, the State subsidies are subject to financing decisions accompanying but distinct from the personalised agreement decision. A dedicated independent fund with its own governance (the 'Fonds national des aides à la pierre', FNAP), was created in 2016 for this purpose. The maximum amount of subsidies allocated to operations is laid down in a regulation, taking into account the specific nature of each operation (area, cost, etc.) and reserving these subsidies for housing for which the social return in relation to rent ceilings is the strongest, i.e. rented social housing financed with PLAI (Prêt locatif Aidé d'intégration) loans. The award of these building subsidies can be delegated to regional authorities on request, subject to certain conditions.

For local and regional authorities, measures to support the production of social housing may also be granted. The methods of intervention in terms of subsidisation and the amounts involved are set during discussions by them, and may differ from year to year depending on the available resources, changing needs and local priorities.

The subsidies granted by the State and the authorities are integrated into the financing plan of the operations, which are subject, at the same time as the approval procedure, to a joint simulation of their long-term financial standing based on parameters that are updated each year.

2. Some aid is granted for social housing renovation operations.

Specific aid for the renovation of social housing was granted under the 'Recovery Plan' in 2021 (and will be continued in 2022).

The National Agency for Urban Renewal (ANRU) also supports this public policy by providing aid to social housing landlords for certain operations under urban renewal programmes (amount indicated in the attached aid table).

3. Finally, social housing operators benefit from a corporate tax exemption for their activity under the SGEI.

All aid in the form of subsidies for social housing is detailed in the attached aid table. For European Union aid: under the heading 'Subsidies for energy-efficiency work on social rental

housing' (ERDF). For the State: under the headings 'Investment subsidies', 'Renovation subsidies'. For local and regional authorities: under the headings 'Investment subsidies', 'Subsidies for energy-efficiency work'. For the PEEC (social housing levy): under the headings 'Recovery subsidies', 'Aid to subsidiaries of Action Logement' and 'Sector aid'.
Typical arrangements for avoiding and repaying any overcompensation.
<p>Firstly, it should be noted that the public authorities possess broad supervisory and penalty powers over social housing bodies.</p> <p>Upstream, the financing decisions for social housing construction operations taken by the authorities (the State, or where this power is delegated, a regional authority) are subject to financial analysis of the forecast balance of the operation. This analysis serves to set a rent contribution in relation to the maximum scale for operations that are easier to balance, and to monitor the general health of the body in the event of a loss-making operation. The risk of overcompensation is also checked for the first time when subsidies are granted for the construction of new social housing. A personalised housing assistance agreement (APL) is signed with the body for each group of social housing. Moreover, the regional authorities participate in the governance of public housing offices and semi-public companies. The Prefect of the Department is represented on the management board of the public housing offices.</p> <p>Downstream, low-rent housing bodies, approved semi-public housing bodies or bodies carrying out project management activities and benefiting from the authorisation provided for in Article L. 365-2 are subject to supervision by the National Social Housing Agency (ANCOLS – a national public institution under the supervisory authority of the Ministers responsible for housing and the economy). This supervision focuses primarily on regularity, management quality and the manner in which the bodies carry out the general interest task entrusted to them under Article L. 411-2 (the ANCOLS can suggest that the Housing Minister impose sanctions on bodies or their directors). They are also supervised by the financial courts.</p> <p>In addition, compliance with APL agreements may be subject to verification which can result in the loss of APL entitlement or the recovery of fiscal assistance.</p> <p>Monitoring of the risk of overcompensation was entrusted to ANCOLS by law in 2014. As part of the ANCOLS' overall mission (defined in Article L.342-2), the Agency verifies that the State aid paid to social housing bodies in the form of public service compensation does not give rise to any overcompensation, in order to comply with Article 106 of the Treaty on the Functioning of the European Union. More specifically, the Agency is required to establish individual and thematic checks and to ensure that social housing bodies comply with Commission Decision 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>By a decision dated 23 January 2019, the Agency's management board adopted a verification method in relation to overcompensation. Moreover, on 29 June 2020, the Council of State rejected an appeal against this decision and confirmed its lawfulness. Subsequently, a series 'mock' checks on the absence of overcompensation for SGEIs was carried out from 1 April 2019 up to the end of 2020. The preliminary results and methodology for monitoring</p>

overcompensation were presented to the sector in late 2021. The final methodology had not yet been validated by the end of 2021.

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

The various types of compensation for which social housing construction or purchase operations, whether or not involving work, may be eligible are precisely described in the Construction and Housing Code, in the Regulatory Part, Book III, Title III, Sole Chapter, Section 1. The public website <http://www.financement-logement-social.logement.gouv.fr/> provides various data and statistics on social housing assistance, in particular the way in which operations are financed.

The approval of operators, without which social housing assistance cannot be accessed, is covered by an individual Order published in the Official Journal of the French Republic.

The reports of the National Social Housing Agency (ANCOLS) are published and made available online (<https://www.ancols.fr/home/publications.html>). They all include a financial diagnosis of the authority, which describes its operation, as well as its asset policy and social and rental management policy. Once the final control methodology has been approved, these reports will also include developments on monitoring the risk of overcompensation.

Amount of aid granted

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

2020	2021
EUR 6 670 million	EUR 7 204 million
A: Total amount of aid granted (in millions EUR) paid by national central authorities	
2020	2021
B: Total amount of aid granted (in millions EUR) paid by regional authorities	
2020	2021
C: Total amount of aid granted (in millions EUR) paid by local authorities	
2020	2021

Share of expenditure per aid instrument (direct subsidy, guarantees etc.) (if available)	
2020	2021
Additional quantitative information (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings)	
2020	2021

- Community land trusts

Social services (Art. 2(1)(c))
Category 2(d) Social housing
Clear and comprehensive description of how the respective services are organised in your Member State
<p>Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list the contents of the services entrusted as SGEI as clearly as possible.</p> <p>- The tax support scheme hereinafter referred to as 'Tax support – SGEI community land trusts' was introduced into national law in Article 157 of the Finance Law for 2020, now codified in Article 199I-0 AB of the General Tax Code ('CGI'). This article has been clarified by five implementing texts:</p> <ul style="list-style-type: none"> - Decree No 2020-1186 of 29 September 2020 (ECOT2015707D) implementing Article 199I-0 AB of the General Tax Code relating to investments made by taxpayers in the capital of certain approved undertakings ('socially useful community undertaking'); - three Orders of 29 September 2020 (ECOT2015762A; ECOT2015763A; ECOT2015766A) setting the minimum proportion of people in financially precarious circumstances among the beneficiaries of community land trusts benefiting from the scheme; - the Order of 29 September 2020 (ECOT2015765A) setting the ceiling for the annual rate of return on the sale price of securities or shares acquired during subscriptions within the framework of this scheme. <p>This support scheme provides the possibility for individual taxpayers who invest in the equity of land trusts that meet a particular set of social impact and limited profit requirements to reduce their income tax by 18% (exceptionally 25% between 2020, the first year of the SGEI, and 2022) of the amount of their investment.</p> <p>In order to qualify for the SGEI community land trusts' tax support scheme, the beneficiary undertakings (referred to here as 'community land trusts') must have the 'ESUS' ('socially useful community undertaking') authorisation laid down in Article L. 3332-17-1 of the Labour Code. Obtaining this authorisation is conditional on a significant proportion (66% of the operating</p>

<p>profit and loss account) of the undertaking's activity being geared towards targeting a social impact to help economically vulnerable people. It is issued by the decentralised State agencies (DREETS – Regional Directorates for economic affairs, employment, labour and solidarity), after examination of a complete file submitted by the company. The authorisation must be renewed at least every 5 years.</p> <p>One of the sectors in which the undertakings benefiting from the 'community land trust' SGEI operate is that of social housing. In this sector, these undertakings acquire, renovate and manage (directly or through associations in the same community-led group) buildings or dwellings, in order to provide people in financially precarious circumstances (depending on their income) with:</p> <ul style="list-style-type: none"> • properties (housing) at concessionary (rent) rates in relation to market rates; • specific support to help such tenants overcome the difficulties specific to their financially precarious circumstances. <p>These community land trusts must therefore provide substantial support with a view to promoting the social and professional reintegration of their beneficiaries.</p> <p>Moreover, among all the beneficiaries of the trusts, those in financially precarious circumstances must account for a significant share.</p> <p>Thus, for this sector of activity, at least 70% of the beneficiaries of a community land trust must be in financially precarious circumstances. These rates have been set at levels which solidify the degree, which is acknowledged to be very high, of the social standard applied by land trusts operating in this sector prior to the existence of this SGEI. The financial precariousness of these groups is verified by reference to the annual income ceiling, as calculated for access to the most subsidised category of low-rent housing, via the PLAI (a form of rental housing loan).</p> <p>The maximum amount of (indirect) aid granted each year to an undertaking benefiting from the scheme is EUR 7.2 million (exceptionally, EUR 10 million between 2020 and 2022).</p>
<p>Explanation of the (typical) forms of entrustment. If standardised templates for entrustments are used for a certain sector, please attach them.</p>
<p>— The entrustment of the 'community land trusts' SGEI takes the form of an agreement signed by the beneficiary undertaking and by the competent ministry (i.e. Ministry of Housing, in the case of this sector). A template of the agreement and the summary sheet ('reference sheet') which is systematically attached to it are presented in the annex to this report (see <i>Annex_01</i> and <i>Annex_02</i>).</p>
<p>Average duration of the entrustment (in years) and the proportion of entrustments that are longer than 10 years (in %) per sector. Specify in which sectors SGEI were entrusted with a duration exceeding 10 years and explain how this duration is justified?</p>
<p>- The usual – and in any case maximum – duration of an entrustment under the 'community land trusts' SGEI is 10 years.</p>
<p>Explanation whether (typically) exclusive or special rights are assigned to the undertakings.</p>
<p>- Not applicable to the 'community land trusts' SGEI.</p>
<p>Which aid instruments have been used (direct subsidies, guarantees, etc.)?</p>

<p>- The aid instrument used in the context of the 'community land trusts' SGEI is <u>indirect aid</u>, through <u>a tax reduction in favour of individual taxpayers</u> investing in the beneficiary undertakings.</p>
<p>Typical compensation mechanism as regards the respective services and whether a methodology based on cost allocation or the net avoided cost methodology is used.</p>
<p>- The compensation mechanism used in the context of the 'community land trusts' SGEI is based on the calculation, at the beginning of each fiscal year, of a maximum annual compensation ceiling to which the land trust is entitled. The calculation of this ceiling is based on a dual mechanism:</p> <ul style="list-style-type: none"> • On the one hand, a comparison is made between the rental rates for dwellings charged by the land trust on each dwelling and the average rates observed on a reference market (housing rents). These reference market rates are taken from public databases. The rates charged by land trusts operating in the field of social housing are compared with the rates charged in low-rent housing ('HLM') as a whole (viewed at municipal level, i.e. the most disaggregated level possible, while remaining representative). The total difference obtained makes it possible to estimate the financial cost incurred by the land trust in favour of vulnerable groups. • On the other hand, the actual costs incurred by the land trust (or by a third party coming under the same umbrella organisation, i.e. the same community-led group) to support the beneficiaries are added to the ceiling. • Any other public aid received by the land trust specifically intended to compensate for the costs associated with the operation of the SGEI are removed from this ceiling. • This calculation makes it possible to determine, each year, a maximum limit of subscriptions which the land trust can collect from private individuals. Finally, this ceiling, divided by the rate of tax reduction granted to individuals, gives the annual amount of the compensation ceiling to which the land trust is entitled. <p>The calculation details are set out in Annex 2 (<i>Annexe_02_Fiche-de-Reference_PJ-mandat_SIEG_Foncières_Solidaires.docx</i>; see points 1-4).</p>
<p>Typical arrangements for avoiding and repaying any overcompensation.</p>
<p>- Under the 'community land trust' SGEI: in the event any overcompensation is established, the amount to be repaid is calculated (as described precisely in the entrustment agreement signed by the land trust) and the undertaking must pay it back to the administration which signed the agreement.</p> <p>The ex ante calculation of the maximum annual compensation ceiling should make it possible to avoid cases of overcompensation as far as possible.</p> <p>On the other hand, the overcompensation is carried over from one year to the next to avoid claiming the difference from the undertaking each year: thus, if overcompensation occurs one year (i.e. if in a given year the land trust collected more subscriptions from individuals than it was entitled to under the ceiling calculated ex ante), this amount is deducted from the ceiling for the following year. This mechanism allows an undertaking to fine-tune its subscription collection target every year.</p> <p>Any overcompensation therefore appears only at the end of the entrustment, and only then, if such overcompensation is actually established, will the undertaking have to reimburse the public authority.</p>

<p>A short explanation of how the transparency requirements (see Article 7 of the 2012 SGEI Decision) for the aid above 15 million euro to undertakings that also have activities outside the scope of the SGEI are being complied with. In your answer please also include some relevant examples of information published for this purpose (e.g. links to websites or other references), indicate whether you have a central website on which you publish this information for all aid measures concerned in your Member State (if so, provide the link to this website), or alternatively explain if and how the publication takes place at the level of the body granting the aid (e.g. central, regional or local level).</p>	
<p>- Not applicable to the 'community land trusts' SGEI.</p>	
<p>Amount of aid granted</p>	
<p>Total amount of aid granted (in millions EUR) This includes all aid granted in your territory, including aid granted by regional and local authorities. (A+B+C)</p>	
2020	2021
EUR 3.48 million	EUR 5.36 million (NB: approximate value; the final value is likely to be slightly lower and will not be known before approximately August 2022)
<p>A: Total amount of aid granted (in millions EUR) paid by national central authorities</p>	
2020	2021
EUR 3.48 million	EUR 5.36 million
<p>B: Total amount of aid granted (in millions EUR) paid by regional authorities</p>	
2020	2021
0	0
<p>C: Total amount of aid granted (in millions EUR) paid by local authorities</p>	
2020	2021
0	0
<p>Share of expenditure per aid instrument (direct subsidy, guarantees etc.) (if available)</p>	
2020	2021
- Indirect aid (= tax reductions for individuals): EUR 3.48 million	- Indirect aid (= tax reductions for individuals): EUR 5.36 million
<p>Additional quantitative information (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings)</p>	
2020	2021
Two undertakings benefited from the 'community land trusts' SGEI for the social housing sector this year.	Three undertakings benefited from the 'community land trusts' SGEI for the social housing sector this year.

d) Care and social inclusion of vulnerable groups

Section 2 social services [Article 2(1)(c)]
Category 2 (e) care and social inclusion of vulnerable groups
Clear and comprehensive description of how the respective services are organised in your Member State
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list the contents of the services entrusted as SGEI as clearly as possible.
<p>Another sector in which undertakings receiving the 'community land trusts SGEI' tax support are involved is the care and social inclusion of vulnerable groups. This sector comprises two sub-sectors:</p> <p>(i) undertakings involved in housing for elderly or dependent persons or those with decreasing independence: these undertakings acquire, renovate and manage buildings (directly or through associations in the same community-led group), in order to provide people in a situation of dependency, loss of independence and financial precariousness (depending on their income) with properties (housing or residences) at concessionary (rent) rates in relation to market rates.</p> <p>ii) undertakings involved in the occupational integration of economically vulnerable farmers, while also complying with the requirements of agro-ecological production systems: these undertakings acquire, renovate and manage (directly or through associations in the same community-led group) agricultural land (and also sometimes but not necessarily housing) in order to provide farmers in financially precarious situations (depending on their income and assets) with land (agricultural land, or even housing), at concessionary (rent) rates in relation to market rates.</p> <p>In all cases, these undertakings must also provide substantial support in order to foster the social and occupational reintegration of their beneficiaries.</p> <p>Moreover, among all the beneficiaries of the trusts, those in financially precarious circumstances must account for a significant share.</p> <p>The minimum proportion of the number of people in financially precarious situations that a land trust must have, among all its beneficiaries, is 50% for sector (i) described above, and 70% for sector (ii). These rates have been set at levels which solidify the degree, which is acknowledged to be very high, of the social standard applied by land trusts operating in this sector prior to the existence of this SGEI. The financial precariousness of these groups is verified by reference to the annual income ceiling, as calculated for access to the most subsidised category of low-rent housing, via the PLAI (a form of rental housing loan). Furthermore:</p> <ul style="list-style-type: none"> - the target groups must have a low degree of autonomy, determined according to a scale used by the Ministry of Health, in the case of land trusts operating in sub-sector (i) described above; - a maximum asset ceiling must also be checked with respect to persons in 'financially precarious situations', in the case of 'agricultural' land trusts (operating in subsector (ii) described above).

<p>The maximum amount of (indirect) aid granted each year to an undertaking benefiting from the scheme is:</p> <ul style="list-style-type: none"> - EUR 7.2 million (exceptionally, EUR 10 million between 2020 and 2022), in the case of land trusts operating in subsector (i) described above. - EUR 2.7 million (exceptionally, EUR 3.75 million between 2020 and 2022), in the case of agricultural land trusts operating in sub-sector (ii) described above.
<p>Explanation of the (typical) forms of entrustment. If standardised templates for entrustments are used for a certain sector, please attach them.</p>
<p>- The entrustment of the 'community land trusts' SGEI takes the form of an agreement signed by the beneficiary undertaking and by the competent ministry (i.e. Ministry of Health in the case of sub-sector (i), and the Ministry of Agriculture for sub-sector (ii)). A template of the agreement and the summary sheet ('reference sheet') which is systematically attached to it are presented in the annex to this report (see <i>Annex_01</i> and <i>Annex_02</i>).</p>
<p>Average duration of the entrustment (in years) and the proportion of entrustments that are longer than 10 years (in %) per sector. Specify in which sectors SGEI were entrusted with a duration exceeding 10 years and explain how this duration is justified?</p>
<p>- The usual – and in any case maximum – duration of an entrustment under the 'community land trusts' SGEI is 10 years.</p>
<p>Explanation whether (typically) exclusive or special rights are assigned to the undertakings.</p>
<p>- Not applicable to the 'community land trusts' SGEI.</p>
<p>Which aid instruments have been used (direct subsidies, guarantees, etc.)?</p>
<p>- The aid instrument used in the context of the 'community land trusts' SGEI is <u>indirect aid</u>, through <u>a tax reduction in favour of individual taxpayers</u> investing in the beneficiary undertakings.</p>
<p>Typical compensation mechanism as regards the respective services and whether a methodology based on cost allocation or the net avoided cost methodology is used.</p>
<p>- The compensation mechanism used in the context of the 'community land trusts' SGEI is based on the calculation, at the beginning of each fiscal year, of a maximum annual compensation ceiling to which the land trust is entitled. The calculation of this ceiling is based on a dual mechanism:</p> <ul style="list-style-type: none"> • On the one hand, a comparison is made between the rental rates for dwellings and/or land (depending on the sub-sector in question) charged by the land trust on each dwelling/piece of land and the average rates observed on the corresponding reference market (housing and/or land rents). These reference market rates are taken from public databases. Thus: <ul style="list-style-type: none"> ○ the rates charged by land trusts operating in sub-sector (i) are compared with the rates charged by all health institutions (private and profit-making) caring for elderly and/or dependent persons, viewed at 'département' level (i.e. the most disaggregated level possible, while remaining representative);

- the rates charged by agricultural land trusts operating in sub-sector (ii) are compared with the estimated rental prices for all free land, viewed at agricultural region level (where the 'land' aspect is concerned), and with the rates charged in low-rent housing ('HLM') as a whole, viewed at municipal level (for the 'housing' aspect).

The total difference obtained makes it possible to estimate the financial cost incurred by the land trust in favour of the vulnerable groups it supports.

- On the other hand, the actual costs incurred by the land trust (or by a third party coming under the same umbrella organisation, i.e. the same community-led group) to support the beneficiaries are added to the ceiling.
- Any other public aid received by the land trust specifically intended to compensate for the costs associated with the operation of the SGEI are removed from this ceiling.
- This calculation makes it possible to determine, each year, a maximum limit of subscriptions which the land trust can collect from private individuals. Finally, this ceiling, divided by the rate of tax reduction granted to individuals, gives the annual amount of the compensation ceiling to which the land trust is entitled.

The calculation details are set out in Annex 2 (*Annexe_02_Fiche-de-Reference_PJ-mandat_SIEG_Foncières_Solidaires.docx*; see points 1-4).

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

- Under the 'community land trust' SGEI: in the event any overcompensation is established, the amount to be repaid is calculated (as described precisely in the entrustment agreement signed by the land trust) and the undertaking must pay it back to the administration which signed the agreement.

The ex ante calculation of the maximum annual compensation ceiling should make it possible to avoid cases of overcompensation as far as possible.

On the other hand, the overcompensation is carried over from one year to the next to avoid claiming the difference from the undertaking each year: thus, if overcompensation occurs one year (i.e. if in a given year the land trust collected more subscriptions from individuals than it was entitled to under the ceiling calculated ex ante), this amount is deducted from the ceiling for the following year. This mechanism allows an undertaking to fine-tune its subscription collection target every year.

Any overcompensation therefore appears only at the end of the entrustment, and only then, if such overcompensation is actually established, will the undertaking have to reimburse the public authority.

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

- Not applicable to the 'community land trusts' SGEI.	
Amount of aid granted	
Total amount of aid granted (in millions EUR) This includes all aid granted in your territory, including aid granted by regional and local authorities. (A+B+C)	
2020	2021
EUR 4.55 million	EUR 8.99 million (NB: approximate value; the final value is likely to be slightly lower and will not be known before approximately August 2022)
A: Total amount of aid granted (in millions EUR) paid by national central authorities	
2020	2021
EUR 4.55 million	EUR 8.99 million
B: Total amount of aid granted (in millions EUR) paid by regional authorities	
2020	2021
0	0
C: Total amount of aid granted (in millions EUR) paid by local authorities	
2020	2021
0	0
Share of expenditure per aid instrument (direct subsidy, guarantees etc.) (if available)	
2020	2021
- Indirect aid (= tax reductions for individuals): EUR 4.55 million	- Indirect aid (= tax reductions for individuals): EUR 8.99 million
Additional quantitative information (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings)	
2020	2021
Three undertakings benefited from the 'community land trusts' SGEI this year, in the 'care and social inclusion of vulnerable groups' sector.	Three undertakings benefited from the 'community land trusts' SGEI this year, in the 'care and social inclusion of vulnerable groups' sector.

Annexes



Annexe_01_Convention-de-mandat-typ



Annexe_02_Fiche-de-Référence_PJ-man



Annexe_03_Rapport_SIEG_Foncières_Sol

2.3. SGEI compensation not exceeding an annual amount of EUR 15 million (Art. 2(1)(a))

a) young people and community life

- Popular education, recreational activities and information for young people

<u>Clear and comprehensive description of how the respective services are organised in your Member State</u>
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list the contents of the services entrusted as SGEI as clearly as possible.
<p>In relation to young people and community life, the aid granted under the exemption Decision 2012/21/EU of 20 December 2011 on the compensation granted to certain undertakings entrusted with the operation of services of general economic interest (SGEI) is granted to associations covered by the Law of 1 July 1901.</p> <p>This aid is aimed at three separate areas.</p> <p>First, it covers popular education, which is both a philosophical trend and an educational measure. It is based on a general goal of educating people in a bid to bring about positive social and societal transformation, through access to culture, involvement in the public sphere and lessons in citizenship. Given that popular education is part of a project that is in the public interest and promotes coexistence in inner cities, and that it aims to foster social and societal innovation and remain a space favourable to social and educational experimentation, the State entrusts to these associations an SGEI, by means of a 1- or 3-year agreement, which these associations have started. In addition, the State entrusts associations which have a broader purpose of developing community networks and voluntary activities in these general interest structures.</p> <p>Second, the aid covers information for young people. Article L.6111-3 of the French Labour Code states that everyone is entitled to the right to be informed, advised and supported in relation to career guidance pursuant to the right to education guaranteed to all in Article L. 111-1 of the Education Code. The State and the regions guarantee the public lifelong guidance service. In conjunction with the regional public guidance service, the regions also coordinate information structures for young people that have been awarded a label (information quality label) by the</p>

State. These structures are intended to guarantee all young people access to general, objective, reliable, quality information concerning every area of their daily life. To provide this SGEI, these structures, set up in the form of associations, receive aid.

Finally, the French State is pursuing a policy of developing educational leisure activities for young people. Frequented by millions of children and young people in France, leisure centres are the main form of group childcare outside school time. These centres offer surroundings, procedures and activities that contribute to education by fostering the use and acquisition of skills and knowledge. After schools, leisure centres are the second most used childcare facility. Given the effects of the lockdown periods in France, the French State has introduced an initiative known as 'Colos apprenantes' ('learning holiday camps'), which forms part of the wider 'Vacances apprenantes' ('learning holidays') campaign, the aim of which is to address the need for collective experience and to reactivate knowledge post-lockdown, looking ahead to the return to school. 'Colos apprenantes' programmes are offered by holiday camp organisers offering packages that combine learning and leisure activities based on culture, sport and sustainable development.

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

The State entrusts to these associations an SGEI, by means of a 1- or 3-year agreement, which these associations have started and which is recognised by the above-mentioned label or approval, where applicable. Once the aid is granted, the entrustment takes the form of a legal commitment: the signing of a 1-year or multiannual agreement. The entrustment is explicitly referred to in Article 1 and then defined in detail in Annex 1 to this agreement. Cf. standard multiannual agreement as set out in Annex 3 to Circular No 5811-SG of 29 September 2015 (http://circulaires.legifrance.gouv.fr/pdf/2015/09/cir_40062.pdf)

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

Most entrustments are for 3 years or 1 year. There are no entrustments for over 10 years.

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

No exclusive or special rights are assigned.

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

All of these entrustments come under the subsidy arrangements provided for in French law by Articles 9-1 and 10 of Law No 2000-321 of 12 April 2000.

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

The annual eligible costs for the project are set down in the Annex to the agreement; they take account of all proceeds and income of the project:

This concerns all the costs directly linked to the implementation of the project, which:

- are linked to the purpose of the project and evaluated in Annex II;
- are necessary to complete the project;

- are reasonable from the point of view of the principle of good management;
- arise in the course of completing the project;
- are spent by 'the association';
- are identifiable and verifiable.

Also included are indirect costs (or structural costs) that are eligible for fixed-rate funding based on the total eligible direct costs.

During the implementation of the project, the association can adjust its provisional budget(s) upwards or downwards provided that this does not affect the completion of the project and that the adjustment is not substantial compared with the total estimated eligible cost set out in the agreement. The association must notify such adjustments to the authorities in writing as soon as it can evaluate them, and in any case before 1 July of the current year. The public financing takes into account, where necessary, any reasonable surplus that is recorded. The surplus may not be higher than the total eligible costs of the project that are actually paid. The State reserves the right to adapt the amount paid in line with the outcome of any checks carried out and, where appropriate, on the basis of the acceptance of the envisaged adjustments.

Typical arrangements for avoiding and repaying any overcompensation.

In the case of an infringement by the association, the State can order the repayment of all or part of the sums already paid in accordance with Article 43-IV of Law No 96-314 of 12 April 1996, following an examination of the supporting documents produced by the association and a hearing attended by its representatives. In the event that the association fails to perform the agreement, amends it substantially or delays performing it, without the prior written agreement of the State, the latter can order the repayment of all or part of the sums already paid in accordance with Article 43-IV of Law No 96-314 of 12 April 1996, or the suspension or reduction of the subsidy following an examination of the supporting documents produced by the association and a hearing attended by its representatives. Any refusal to communicate or late communication of the financial report will result in the termination of the subsidy pursuant to Article 112 of Law No 45-0195 of 31 December 1945. Any refusal to communicate accounts will also result in the termination of the subsidy pursuant to Article 14 of the Decree-Law of 2 May 1938.

A short explanation of how the **transparency requirements** (see Article 7 of the 2012 SGEI Decision) for the aid above EUR 15 million to undertakings that also have activities outside the scope of the SGEI are being complied with.

All information on State subsidies can be found at <https://www.data.gouv.fr/> and <https://www.budget.gouv.fr/documentation/documents-budgetaires>

Amount of aid granted

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

2020	2021
10.22	13.08
A: Total amount of aid granted (in millions EUR) paid by national central authorities	

2020	2021
10.23	13.08
B: Total amount of aid granted (in millions EUR) paid by regional authorities	
2020	2021
0	0
C: Total amount of aid granted (in millions EUR) paid by local authorities	
2020	2021
N/A	N/A
Share of expenditure per aid instrument (direct subsidy, guarantees, etc.) (if available)	
2020	2021
100% direct grants	100% direct grants
Additional quantitative information (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings)	
2020	2021
46 beneficiaries at national level	48 beneficiaries at national level
Average of EUR 217 665/year	Average of EUR 267 119/year

- PIA (Projets innovants en faveur de la Jeunesse - innovative projects for young people)

Section 5 SGEI compensation not exceeding an annual amount of EUR 15 million (Art. 2(1)(a))
Category 5 (g) other sectors
Clear and comprehensive description of how the respective services are organised in your Member State
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list the contents of the services entrusted as SGEI as clearly as possible.
The PIA Jeunesse projects may comprise the following public service missions: development of educational, cultural and sports services, and promotion of commitment approach (strengthening of young people's sense of initiative and responsibility);

<p>information, guidance and support for young people to encourage their social and professional integration;</p> <p>support and structuring of educational paths to prevent young people from dropping out of school or university;</p> <p>employability of young people and development of partnerships with businesses (entrepreneurial culture to be reinforced);</p> <p>development of initiative as regards involvement in socially innovative activities carried out on a voluntary basis by individuals, associations or foundations, the aim being to deal with the new challenges facing our society, for which traditional intervention by the authorities is no longer sufficient.</p> <p>Through the 'Boussole des jeunes' ('Youth Compass') programme, which was added to the PIA (Projets innovants en faveur de la Jeunesse - innovative projects for young people) on 9 September 2021, the 'Compass' projects may include the following public service tasks:</p> <ul style="list-style-type: none"> - informing young people via the Youth Compass digital service about the rights and services to which they are entitled; - supporting young people in their initiatives through local professionals.
<p>Explanation of the (typical) forms of entrustment. If standardised templates for entrustments are used for a certain sector, please attach them.</p>
<p>Once the aid is granted, the entrustment takes the form of a legal commitment: the signing of a multiannual agreement between the project promoter and ANRU (Agence nationale pour la rénovation urbaine - National Agency for Urban Renewal). The entrustment is explicitly defined in Article 1 of this agreement. Cf. standard multiannual agreement attached.</p>
<p>Average duration of the entrustment (in years) and the proportion of entrustments that are longer than 10 years (in %) per sector. Specify in which sectors SGEI were entrusted with a duration exceeding 10 years and explain how this duration is justified?</p>
<p>5 years (on average)</p>
<p>Explanation whether (typically) exclusive or special rights are assigned to the undertakings.</p>
<p>No exclusive or special rights are assigned.</p>
<p>Which aid instruments have been used (direct subsidies, guarantees, etc.)?</p>
<p>Direct subsidies.</p>
<p>Typical compensation mechanism as regards the respective services and whether a methodology based on cost allocation or the net avoided cost methodology is used.</p>
<p>The costs to be charged to the project must be strictly connected with the completion of the project under the measure 'Innovative projects for young people', cf. General and Financial Regulation attached (detail of eligible expenses, Article VI.2. Eligible expenses: subsidy base p.21 et seq).</p>

The subsidy rate is limited to 50% of the subsidy base.	
Typical arrangements for avoiding and repaying any overcompensation.	
The total amount paid as a subsidy must not exceed the maximum amount set out in the agreement. In the event of failure to comply with the commitments in the agreement, the base and rates used to calculate the subsidy may also be reviewed downwards, cf. General and Financial Regulation attached (details p.26 et seq).	
A short explanation of how the transparency requirements (see Paragraph 60 of the 2012 SGEI Framework) are being complied with. In your answer please also include some relevant examples of information published for this purpose (e.g. links to websites or other references), indicate whether you have a central website on which you publish this information for all aid measures concerned in your Member State (if so, provide the link to this website), or alternatively explain if and how the publication takes place at the level of the body granting the aid (e.g. central, regional or local level).	
Amount of aid granted	
Total amount of aid granted (in millions EUR). This includes all aid granted in your territory, including aid granted by regional and local authorities. (A+B+C)	
2020	2021
9.152	8.472
A: Total amount of aid granted (in millions EUR) paid by national central authorities	
2020	2021
9.152	8.472
B: Total amount of aid granted (in millions EUR) paid by regional authorities	
2020	2021
0	0
C: Total amount of aid granted (in millions EUR) paid by local authorities	
2020	2021
0	0
Share of expenditure per aid instrument (direct subsidy, guarantees, etc.) (if available)	
2020	2021
100% direct grants	100% direct grants

Additional quantitative information (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings)	
2020	2021
Average aid amount per project paid in 2020: EUR 572 000	Average aid amount per project paid in 2021: EUR 529 000

Annexes



AAP_PIA Jeunesse.pdf



RGF_PIA Jeunesse.pdf



Convention type_PIA
Jeunesse.pdf

b) standardisation (French Standardisation Organisation - AFNOR)

Section 5 SGEI compensation not exceeding an annual amount of EUR 15 million (Art. 2(1)(a))
Category 5 (g) other sectors
Clear and comprehensive description of how the respective services are organised in your Member State
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list the contents of the services entrusted as SGEI as clearly as possible.
<p>The French Standardisation Association (AFNOR), established pursuant to the 1901 Law on associations, provides a general interest service in the field of standardisation consisting of:</p> <ul style="list-style-type: none"> • guiding and coordinating the drafting of French standards and the participation of French stakeholders in drafting European and international standards; • acting as France's national standardisation body as a member of European (CEN and CENELEC) and international (ISO and IEC) non-governmental standardisation bodies. <p>Explanation of the (typical) forms of entrustment. If standardised templates for entrustments are used for a certain sector, please attach them.</p> <p>Decree No 2009-697 of 16 June 2009 covers the organisation of the French standardisation system and entrusts a general interest mission to AFNOR.</p> <p>An annual agreement lays down the guidance and coordination activities, plus general interest tasks, to be carried out during the year.</p> <p>Average duration of the entrustment (in years) and the proportion of entrustments that are longer than 10 years (in %) per sector. Specify in which sectors SGEI were entrusted with a duration exceeding 10 years and explain how this duration is justified?</p> <p>One year set out in the annual agreement.</p> <p>Explanation whether (typically) exclusive or special rights are assigned to the undertakings.</p> <p>None</p> <p>Which aid instruments have been used (direct subsidies, guarantees, etc.)?</p> <p>Direct grant</p> <p>Typical compensation mechanism as regards the respective services and whether a methodology based on cost allocation or the net avoided cost methodology is used.</p> <p>In 2021, the subsidy represented 57% of the amount of the public service costs paid by AFNOR.</p> <p>Typical arrangements for avoiding and repaying any overcompensation.</p>

There is no overcompensation since the subsidy is limited to 57% of the amount of the public service costs paid by AFNOR.

Furthermore:

- Article 1 of the annual agreement states explicitly that only guidance and coordination activities relating to general interest tasks are eligible for the subsidy. These activities are listed in Annex I to the agreement.
- Article 8 of the annual agreement states that, if the holder were to refuse to provide the required documents or did not use the subsidy for the purposes stipulated in the agreement, the State would require repayment of all or part of the sums paid. In this case, the sums would have to be repaid automatically without any need for judicial or extrajudicial proceedings.

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

The subsidy is less than €15 million.

Amount of aid granted

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

2020	2021
6.587	6.065
A: Total amount of aid granted (in millions EUR) paid by national central authorities	
2020	2021
6.587	6.065
B: Total amount of aid granted (in millions EUR) paid by regional authorities	
2020	2021
0	0
C: Total amount of aid granted (in millions EUR) paid by local authorities	
2020	2021
0	0

Share of expenditure per aid instrument (direct subsidy, guarantees, etc.) (if available)	
2020	2021
100%	100%
Additional quantitative information (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings)	
2020	2021
One beneficiary - AFNOR ASSOCIATION Large enterprise	One beneficiary - AFNOR ASSOCIATION Large enterprise

c) local and regional authorities: (other SGEIs)

The Excel table containing information on local and regional authorities is attached to this report.

d) other sectors (animal insemination)

Section 5 SGEI compensation not exceeding an annual amount of EUR 15 million (Art. 2(1)(a))
Category 5 (g) other sectors
Clear and comprehensive description of how the respective services are organised in your Member State ³
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list the contents of the services entrusted as SGEI as clearly as possible.
The Universal Artificial Insemination Service (SUIA) is an SGEI that provides services for the distribution (transport) and artificial insemination by semen of purebred breeding animals of the bovine, ovine and caprine species to any farmer who so requests, irrespective of where they operate.

³ If in a certain sector only a small number of individual SGEIs exist in your Member State, we appreciate a detailed description of those services. **If a large number of services are entrusted in a specific sector in your Member State (for example because the competence lies with regional or local authorities), individual details of the entrustments would be disproportionate**, but a clear and concise general description of the way the sector is organised including the common features of the individual entrustments remains crucial.

Explanation of the (typical) forms of entrustment . If standardised templates for entrustments are used for a certain sector, please attach them.
<p>The facilities approved to provide the services for the distribution and insemination of ruminants' semen, and therefore the beneficiaries of the compensation, are ruminant insemination undertakings registered with the French livestock breeders' institute and the veterinary services. The insemination undertakings were selected following a public approval procedure conducted at national level.</p> <p>The entrustment takes the form of two decrees signed by the Minister for Agriculture, or his representative. One decree lists the approved insemination undertakings and their administrative districts, specifying the duration of the entrustment. The other sets out, in particular, the obligations arising from approval as an operator responsible for the universal service provision and the methods for calculating the financial compensation linked to the provision of that service.</p>
Average duration of the entrustment (in years) and the proportion of entrustments that are longer than 10 years (in %) per sector. Specify in which sectors SGEI were entrusted with a duration exceeding 10 years and explain how this duration is justified?
The duration of the entrustment is 1 year, renewable by tacit agreement for a period not exceeding 5 years, i.e. until 31 December 2024.
Explanation whether (typically) exclusive or special rights are assigned to the undertakings.
No exclusive or special rights are granted to approved insemination companies.
Which aid instruments have been used (direct subsidies, guarantees, etc.)?
The support provided is a direct grant which is intended to partially cover the net costs incurred by approved insemination companies for the delivery of services for the distribution of semen and insemination in areas with constraints (distances travelled in areas of low stocking density or with natural constraints) or for local or endangered breeds.
Typical compensation mechanism as regards the respective services and whether a methodology based on cost allocation or the net avoided cost methodology is used.
<p>Each year, the insemination companies declare the net costs of delivering the services, the number of kilometres travelled, the number of doses distributed and the number of inseminations carried out per administrative district.</p> <p>The financial compensation is calculated on the basis of fixed amounts of compensation for artificial insemination and a mileage allowance based on the natural constraints set each year by decree.</p>
Typical arrangements for avoiding and repaying any overcompensation .
<p>There are several ways to prevent the risk of overcompensation:</p> <ul style="list-style-type: none"> – the compensation thresholds are set annually by Ministerial decree; – the financial compensation is calculated on the basis of the activity actually carried out the previous year and therefore paid after the event;

<p>– a maximum subsidy ceiling is set annually as a percentage of the turnover of the insemination companies (15% in general and 35% for goats and sheep if the turnover is lower, respectively EUR 100 000 and EUR 200 000).</p>	
<p>A short explanation of how the transparency requirements (see Article 7 of the 2012 SGEI Decision) for the aid above 15 million euro to undertakings that also have activities outside the scope of the SGEI are being complied with. In your answer please also include some relevant examples of information published for this purpose (e.g. links to websites or other references), indicate whether you have a central website on which you publish this information for all aid measures concerned in your Member State (if so, provide the link to this website), or alternatively explain if and how the publication takes place at the level of the body granting the aid (e.g. central, regional or local level).</p>	
<p>This heading is not applicable.</p>	
<p>Amount of aid granted</p>	
<p>Total amount of aid granted (in millions EUR)⁴. This includes all aid granted in your territory, including aid granted by regional and local authorities. (A+B+C)</p>	
2020	2021
1.931	1.931
<p>A: Total amount of aid granted (in millions EUR) paid by national central authorities⁵</p>	
2020	2021
1.931	1.931
<p>B: Total amount of aid granted (in EUR millions) paid by regional authorities⁶</p>	
2020	2021
0	0
<p>C: Total amount of aid granted (in EUR millions) paid by local authorities⁷</p>	
2020	2021
0	0
<p>Share of expenditure per aid instrument (direct subsidy, guarantees etc.) (if available)</p>	
2020	2021
100% direct subsidy	100% direct subsidy

⁴As stipulated in Article 9 b) of the 2012 SGEI Decision.

⁵ If the aid amount cannot be split between central, regional and local authorities only the total amount of aid granted for all authorities should be reported.

⁶ See footnote 5.

⁷ See footnote 5.

Additional quantitative information (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings) ⁸	
2020	2021

3. Description of the application of the 2012 SGEI Framework

3.1. SGEI compensation exceeding EUR 15 million, falling outside the SGEI Decision

a) Postal services

- Territorial management task

Section i. Postal services
Clear and comprehensive description of how the respective services are organised in your Member State
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list the contents of the services entrusted as SGEI as clearly as possible.
<p>The task of contributing to territorial management entrusted to La Poste, which is also known as 'postal coverage', consists of La Poste contributing, via its network of contact points, to territorial management and development, in addition to its universal postal service obligations.⁹</p> <p>This mission consists of providing all postal service users, regardless of their geographical location, with quality services that are accessible and affordable with a view to ensuring social and territorial cohesion.</p> <p>The mission is in addition to La Poste's universal postal service obligations as the designated operator, and is a response to the ambitious goal of ensuring postal coverage throughout the country by providing, on the basis of accessibility conditions laid down by law, local postal services nationwide, including in areas where the contact points would not be able to remain open on the basis of economic criteria alone (rural or mountainous areas, overseas départements, priority urban policy neighbourhoods).</p> <p>The accessibility rule laid down by law states that save in exceptional circumstances, not more than 10% of the population of each département should be further than five kilometres or over</p>

⁸The Commission would welcome any data that you might have on aid granted under the 2012 SGEI Decision, for example the number of beneficiaries per sector, average amount of aid, amount per aid instrument, size of the undertakings, etc. Should such other quantitative information data not be readily available in your Member State, they can of course be presented in a more aggregated and/or estimated way. In that case please indicate that estimations have been used as well as the type of aggregation made.

⁹ Article 6 of Law No 90-568 of 2 July 1990, as amended, concerning the organisation of the public service of La Poste and France Télécom.

twenty minutes by car, in the traffic conditions prevalent in that area, from the closest La Poste contact points. In addition, the law imposes a dense La Poste network in the country of at least 17 000 contact points spread all over French territory, taking into account the special features of the territory, in particular in overseas départements and communities.
Explanation of the (typical) forms of entrustment . If standardised templates for entrustments are used for a certain sector, please attach them.
<p>The components of the entrustment are of a legislative and contractual nature.</p> <p>1) The designation of La Poste as the provider of the general interest service and the content of the service are set out in the Law of 2 July 1990. Article 2 states that La Poste and its subsidiaries form a public group which performs [...] public service and general interest missions [...] These public service and general interest missions include contributing, via its network of contact points, to territorial management and development. Article 6 states that, in performing its activities referred to in Article 2 [...], La Poste contributes, via its network of contact points, to managing and developing the national territory, in addition to its universal service obligations [...] and in compliance with the principles laid down in Article 1 of Law No 95-115 of 4 February 1995 on guidelines for territorial management and development. In addition, this last Article sets out very precisely the conditions for performing this mission and the obligations to be met by the company.</p> <p>2) The Law of 20 May 2005¹⁰ lays down the rule of accessibility in relation to the territorial management mission, complementing the rule relating to the universal service. The limits of this territorial scope were set down in the Law of 9 February 2010¹¹ with the obligation being fixed at a minimum of 17 000 contact points at national level.</p> <p>3) The methods of performing the territorial management mission are described and specified in a business contract between the State and La Poste, pursuant to Article 9 of the Law of 2 July 1990. Under this multiannual contract, the conditions of performance of the mission are regularly reviewed. 2020 and 2021 are covered by the 2018-2022 business contract signed on 16 January 2018.</p>
Average duration of the entrustment (in years) and the proportion of entrustments that are longer than 10 years (in %) per sector. Specify in which sectors SGEI were entrusted with a duration exceeding 10 years and explain how this duration is justified?
The duration of the entrustment was aligned with the duration of the State-La Poste 2018-2022 business contract, namely 5 years.
Explanation whether (typically) exclusive or special rights are assigned to the undertakings.
La Poste is the only company entrusted with performing the territorial management mission.
Which aid instruments have been used (direct subsidies, guarantees, etc.)?
The compensation given to La Poste in exchange for its territorial management mission is in the form of 1. local tax relief which is applied to land tax bases and the bases of territorial financial

¹⁰Law No 2005-516 of 20 May 2005 regulating postal activities

¹¹Law No 2010-123 of 9 February 2010 on the public enterprise, La Poste, and postal activities

contributions (land contribution by companies and added-value contribution for companies) owed by La Poste; 2. A subsidy since 2021.

The rate of these rebates is set each year by decree, up to a limit of 95% of the amount normally paid by La Poste. As a result of the continuing erosion of the relevant tax bases of La Poste SA and, more particularly, of the value added used to calculate the added-value contribution for undertakings (which represents 80% of the proceeds of these rebates), the application of a rebate rate of up to 95%, as provided for in Article 1635 *sexies* of the General Tax Code, no longer ensures the level of compensation for the task assigned to La Poste SA in the territorial postal coverage contract (budget of EUR 174 million). Therefore, in order to compensate for this inevitable fall in the revenue from these tax rebates and to guarantee the level of compensation for the territorial management mission, the ceiling for the rebate rates on the three taxes referred to in Article 1635 *sexies* has been raised from 95% to 99%. This measure was included in the Finance Law for 2020¹² and entered into force in 2020¹³.

As part of the recovery plan decided on by the French Government following the health crisis, the 2021 Finance Law provided for a halving of the added-value contribution (CVAE) paid by undertakings¹⁴, including La Poste SA. This measure therefore automatically reduces the revenue from the rebate on the CVAE, which is used to supply the national postal fund for territorial equalisation. Since 2021, this fiscal resource of the national postal fund for territorial equalisation has become insufficient to reach the EUR 174 million provided for in the contract. Thus, in order to maintain its level, the State decided to pay La Poste, from 2021, a subsidy aimed at maintaining the State's contribution to the national postal fund for territorial equalisation at its projected level of EUR 174 million laid down in the postal coverage contract.

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

The amount of the compensation granted to La Poste is set on a provisional basis in the business contract between the State and La Poste, and in the 3-year territorial postal coverage contract. The tax rebate rate is now set at 99% and the amount of the subsidy is the result of the difference between the amount of compensation provided for and the revenue from these rebates.

The cost of the mission is calculated by ARCEP using the net avoided cost method, set out in Decree No 2011-849 of 18 July 2011¹⁵. The net cost of the mission is equal to the avoided costs minus lost revenue in the absence of the territorial management mission.

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

¹² Article 47 of the 2020 Finance Law (Law No 2019-1479 of 28 December 2019)

¹³ Decree No 2020-1829 of 31 December 2020 fixing for 2020 the rate of rebates on local direct tax bases granted to La Poste under its territorial management mission

¹⁴ Article 8 of the 2021 Finance Law (Law No 2020-1721 of 29 December 2020)

¹⁵ Decree No 2011-849 of 18 July 2011 specifying the method of calculating the net cost of the additional network that allows La Poste to perform its territorial management task (cf. Annex 5).

The mechanism used guarantees that La Poste will not receive any overcompensation.

ARCEP assesses the cost of the mission each year. The ARCEP decision on the cost of the mission in the previous year is taken before the rate of the local direct taxation rebates, from which La Poste will benefit in the current year, is set by decree, in accordance with Article 1635 sexies of the General Taxation Code. Any overcompensation identified in the previous year will therefore result in an adjustment, in equivalent proportion, to the rate of the local taxation rebates for the current year.

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

The Directorate-General for Enterprise publishes, on its website, all the public information on the public service tasks assigned to La Poste, which includes in particular information relating to the territorial management mission¹⁶.

In addition, a great deal of information on the performance by La Poste of its public service tasks is available on the company's website¹⁷.

Amount of aid granted	
Total amount of aid granted (in millions EUR). This includes all aid granted in your territory, including aid granted by regional and local authorities. (A+B+C)	
2020	2021
160.7	174
A: Total amount of aid granted (in millions EUR) paid by national central authorities	
2020	2021
160.7	174
B: Total amount of aid granted (in millions EUR) paid by regional authorities	
2020	2021
C: Total amount of aid granted (in millions EUR) paid by local authorities	
2020	2021
Share of expenditure per aid instrument (direct subsidy, guarantees etc.) (if available)	

¹⁶ See <https://www.entreprises.gouv.fr/fr/services/activites-postales/mission-d-amenagement-du-territoire>

¹⁷ See <http://legroupe.laposte.fr/profil/les-missions-de-service-public/la-contribution-a-l-amenagement-du-territoire#>

2020	2021
Local tax rebates: 100%	Local tax rebates: 60%
Subsidy:	Subsidy: 40%
Additional quantitative information (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings)	
2020	2021
Sole beneficiary: La Poste	Sole beneficiary: La Poste
La Poste Group turnover: EUR 31 185 million	La Poste Group turnover: EUR 34 609 million
Average workforce (as staff member/year equivalent) of La Poste Group:	Average workforce (as staff member/year equivalent) of La Poste Group:
248 906 people	244 980 people

- Transport and distribution of press

Section i. Postal services
Clear and comprehensive description of how the respective services are organised in your Member State
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list the contents of the services entrusted as SGEI as clearly as possible.
<p>The press transport and distribution service entrusted to La Poste addresses the need for free communication of ideas and opinions. By facilitating the transport and distribution of the written press, the aim of this task is to foster pluralism, particularly that of political and general information (Article L.4 of the Postal and Electronic Communications Code).</p> <p>For La Poste, this task consists of distributing publications approved by the Joint Committee on Publications and Press Agencies (CPPAP), 6 days a week throughout the country (including rural and sparsely-populated areas), at preferential rates certified by the Minister for Postal Services and the Minister for the Economy, with a high level of service quality:</p> <ul style="list-style-type: none"> - 97% for daily newspapers on D+1; - 92% for magazines on D+1; - 95% for press on D+4; - 95% for press on D+7. <p>This task is carried out throughout the year, in conditions that ensure equal treatment of subscribers and equality of citizens with respect to public services.</p>

Explanation of the (typical) forms of entrustment . If standardised templates for entrustments are used for a certain sector, please attach them.
<p>The components of the entrustment are of a legislative, statutory and contractual nature.</p> <p>As regards the nature of the task and the designation of the company tasked with running the SGEI, Article 2 of Law No 90-568 of 2 July 1990 concerning the organisation of the public service of La Poste and France Télécom, as amended by Law No 2010-123 of 9 February 2010 on the public enterprise, La Poste, and postal activities, states that the public service and general interest missions entrusted to La Poste include the transport and distribution of press under the conditions defined by Article L.4 of the Postal and Electronic Communications Code (CPCE). According to this Article, the Minister for Postal Services and the Minister for the Economy, following a public notice issued by the Electronic Communications, Post and Press Distribution Regulator (Autorité de régulation des communications électroniques, des postes et de la distribution de la presse), certify the rates for the services provided to the press under the public service for the transport and distribution of press publications. The Article also states that the pricing structure for these services must foster pluralism, particularly that of political and general information. Article L.4 of the CPCE thus specifies the objectives of the task entrusted to La Poste. This objective is also set out in the first paragraph of Article R.1-1-17 of the CPCE. Articles D.18 and D.19 of the CPCE also define the press publication categories that fall within the scope of this task.</p> <p>As regards La Poste's public service obligations, Article R.1-1-17 of the CPCE states that periodicals benefiting from the approval of the Joint Committee on Publications and Press Agencies must be sent in the same conditions as the universal postal service. Therefore, according to this Article, the transport and distribution of press publication categories defined in Articles D.18 and D.19 of the CPCE are subject to the same public service obligations as those imposed on La Poste for the universal postal service under Articles R.1 to R.1-1-9 of the CPCE. They benefit from the guarantee of distribution 6 days a week, throughout the country.</p> <p>With regard to the public service compensation received by La Poste, according to the third paragraph of Article R.1-1-17 of the CPCE, the particular constraints applying to La Poste as a result of the transport and distribution of press publications are subject to financial compensation determined under the criteria laid down in Article R.1-1-26 of the CPCE. This Article sets out the parameters for calculating the compensation awarded to La Poste for the transport and distribution of press publications. It states that the compensation awarded to La Poste is determined in the business contract (see 'aid instruments' and 'compensation mechanism' below).</p>
Average duration of the entrustment (in years) and the proportion of entrustments that are longer than 10 years (in %) per sector. Specify in which sectors SGEI were entrusted with a duration exceeding 10 years and explain how this duration is justified?
The duration of the entrustment awarded to La Poste covers the period 2018-2022, i.e. 5 years, in line with the duration of the business contract.
Explanation whether (typically) exclusive or special rights are assigned to the undertakings.
La Poste is the only company entrusted with carrying out the transport and postal distribution of press publications.

Which aid instruments have been used (direct subsidies, guarantees, etc.)?
<p>With regard to the public service compensation received by La Poste, according to the third paragraph of Article R.1-1-17 of the CPCE, the particular constraints applying to La Poste as a result of the transport and distribution of press publications are subject to financial compensation determined under the criteria laid down in Article R.1-1-26 of the CPCE. This Article sets out the parameters for calculating the compensation awarded to La Poste for the transport and distribution of press publications. This Article also states that the exact amount of the compensation awarded to La Poste is determined in the business contract, taking into account the projection of transported volumes communicated by La Poste when the business contract was drawn up, the existing prices, the nature of the services provided and the expected productivity gains. To this end, every year by 1 May, La Poste sends an update of this information to the Minister for Postal Services and the Budget Minister. The Ministers approve the amount of the State's contribution, in cooperation with La Poste, so it can be registered in the initial Finance Act.</p> <p>The business contract between La Poste and the French State for the 2018-2022 period was signed on 16 January 2018. In the same vein as the previous business contract, which covered the 2013-2017 period, this business contract includes the amount of the public service compensation paid to La Poste by the State for the transport and distribution of press publications, for 2018, 2019 and 2020. The review clause in this contract allowed proposals to be made for a reform of the postal distribution of press publications, to be implemented in late 2022. Finally, the contract also stipulates the arrangements for the recovery of any overcompensation. In any event, La Poste is under-compensated for the transport and distribution of press publications.</p>
Typical compensation mechanism as regards the respective services and whether a methodology based on cost allocation or the net avoided cost methodology is used.
<p>The task of the transport and distribution of press publications is subject to an annual financial compensation included in the State budget, proposed by the French government and adopted annually by the parliament.</p> <p>The maximum amount of the compensation paid to La Poste for performing the task of press distribution is determined using the net avoided cost method. The net cost of the task is the difference between the profit made by La Poste and that which it would obtain if it were not in charge of the task.</p> <p>When notifying the compensation they wish to award to La Poste for the 2018-2022 period for this mission, the French authorities developed a counterfactual scenario and determined the profit that La Poste would make in the absence of the task.</p>
Typical arrangements for avoiding and repaying any overcompensation.
<p>The arrangements for recovering any overcompensation are established in the business contract for the period 2018-2022.</p> <p>As stipulated in this contract, the net avoided cost of the press mission was assessed in 2019 by ARCEP. Following its analysis (opinion dated 17 December 2019), ARCEP concluded with reasonable assurance that La Poste is not overcompensated for the press distribution activity. This exercise will be performed again at the end of the notified period.</p>

If these assessments reveal that the compensation received by La Poste exceeds the net costs generated by the performance of its public service mission, a mechanism for the reimbursement to the State of the excess amount received will be implemented the following year.

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

Directive 97/67/EC defines the level of reimbursements (regulatory areas) which it must be possible to determine from La Poste's cost accounting in order to fulfil its transparency and accounting separation obligations. Under Article R.1-1-14 of the CPCE, La Poste is required to present cost accounting distinguishing from its other services and activities those covered by the universal service provision or the press transport mission approved by the Joint Committee on Publications and Press Agencies. The Commission has already deemed this separate cost accounting to be compliant with Directive 2006/111/EC. This cost accounting is covered by Article R.1-1-14 of the CPCE.

In accordance with Article L.5-2 of the CPCE, the Electronic Communications, Post and Press Distribution Regulator (ARCEP) ensures that La Poste meets its obligations in terms of regulatory accounting. In this context, in 2015 and at the request of the government, the ARCEP verified the cost accounting of the press transport and distribution task. To this end, it commissioned an external body to carry out an audit.

The basis for La Poste's regulatory accounting was described by the ARCEP in a document entitled 'Description of La Poste's regulatory accounting system', published in April 2010, which explains the distribution of expenditure to revenue for each postal process. The changes to the allocation rules decided on since then by ARCEP are available in Decision No 2010-0363 of 8 April 2010 concerning the update to the weight-format indexes for the 'sorting-transit', 'internal work' and 'external work' processes, Decision No 2013-0128 of 29 January 2013 amending the rules for the allocation of tax charges brought about by the VAT exemption for certain postal services and Decision No 2014-0294 of 11 March 2014 concerning the update to the indexes for the collection and sorting process.

When it issued its opinion to the government in July 2015 on the regulatory accounting applied to the press account, ARCEP also performed an in-depth analysis of the cost allocation arrangements implemented by La Poste. In particular, it examined the scope of costs involved in the distribution process (internal and external work) and reviewed how these costs are allocated to the various categories of postal items using this process. This analysis did not call into question any of the allocation rules used by La Poste and confirmed the deficit in the press account under the public service mission (EUR 507 million before compensation in 2014). ARCEP noted that, in a context where traffic is falling sharply, it might be useful to review the method of allocating fixed costs to distribution according to the format of the items.

The work undertaken accordingly resulted in early summer 2017 in a public consultation, which was made available online from 26 June 2017 to 26 July 2017 and subsequently to the adoption by ARCEP of Decision No 2017-1100 of 19 September 2017 amending the accounting rules for the allocation of fixed costs relating to external distribution work.

Incorporating these new allocation rules allows the sensitivity of regulatory accounting to variations in volume to be reduced and greater account to be taken of the weight-format criterion.

Amount of aid granted

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

2020	2021
------	------

95.9	87.8
A: Total amount of aid granted (in EUR millions) paid by national central authorities¹⁸	
2020	2021
95.9	87.8
B: Total amount of aid granted (in millions EUR) paid by regional authorities	
2020	2021
0	0
C: Total amount of aid granted (in millions EUR) paid by local authorities	
2020	2021
0	0
Share of expenditure per aid instrument (direct subsidy, guarantees etc.) (if available)	
2020	2021
100% budgetary compensation by the State	100% budgetary compensation by the State
Additional quantitative information (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings)	
2020	2021
Sole beneficiary: La Poste	Sole beneficiary: La Poste
La Poste Group turnover: EUR 31 185 million	La Poste Group turnover: EUR 34 609 million
Average workforce (as staff member/year equivalent) of La Poste Group:	Average workforce (as staff member/year equivalent) of La Poste Group:
248 906 people	2440 people

Commented [A1]: Translator's note: this appears to be an error in the original.

b) culture

- Decision C(2014) 7802 final of 28 October 2014 – SA.30481 (2012/E) State Aid in favour of Agence France-Press (AFP)

¹⁸ If the aid amount cannot be split between central, regional and local authorities only the total amount of aid granted for all authorities should be reported.

Section vii. Culture
Clear and comprehensive description of how the respective services are organised in your Member State
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list the contents of the services entrusted as SGEI as clearly as possible.
<ol style="list-style-type: none"> 1. independence of the AFP; 2. international network of establishments; 3. constant information gathering and processing; 4. production of information for French and foreign users; 5. quality requirements of the information produced; 6. regular and uninterrupted distribution of information.
Explanation of the (typical) forms of entrustment . If standardised templates for entrustments are used for a certain sector, please attach them.
- Law No 57-32 of 10 January 1957 laying down the statutes of the AFP; - AFP objectives and resources contract (COM) 2019-2023.
Average duration of the entrustment (in years) and the proportion of entrustments that are longer than 10 years (in %) per sector. Specify in which sectors SGEI were entrusted with a duration exceeding 10 years and explain how this duration is justified?
5 years, i.e. the duration of the new entrustment (COM 2019-2023)
Explanation whether (typically) exclusive or special rights are assigned to the undertakings.
None
Which aid instruments have been used (direct subsidies, guarantees, etc.)?
Direct grant
Typical compensation mechanism as regards the respective services and whether a methodology based on cost allocation or the net avoided cost methodology is used.
Net avoided cost method – separation between the accounts of the SGEI activities and those of purely commercial activities.
Typical arrangements for avoiding and repaying any overcompensation.
Under the AFP's 2019-2023 objectives and resources contract, the Financial Commission (consisting of members of the Court of Auditors) must ensure that the financial compensation paid by the State does not exceed the net costs incurred in carrying out general interest missions. To this end, it makes an annual comparison between the amount of compensation received by the AFP and the net cost of the general interest missions, once the accounts for year n have been closed and audited. It must carry out the same examination cumulatively, taking into account in its assessment the entire period covered by the objectives and resources contract. If overcompensation is found by the Financial Commission between the cumulative net cost of general interest missions since the start of the contract and the cumulative compensation paid

by the State since the start of the contract, the Financial Commission must find, during the audits carried out in the subsequent years of the contract:

that the AFP reimbursed the amount of overcompensation to the State; or

that the overcompensation previously noted was offset by undercompensation for the subsequent years of the contract.

At the end of the last financial year covered by the objectives and resources contract, if the Financial Commission finds that the cumulative compensation paid by the State since the start of the contract exceeds the cumulative net cost of the general interest missions since the start of the contract, after accounting for any repayments made by the AFP, the residual amount of overcompensation will then be reimbursed by the AFP. This reimbursement must be made within a maximum of 1 year following the end of the contract.

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

The Framework stipulates that the principles set out in paragraphs 14, 19, 20, 24 and 60 do not apply to aid granted before 31 January 2012, which is the case with the AFP.

Amount of aid granted

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

2020	2021
119.3	113.3

A: Total amount of aid granted (in millions EUR) paid by national central authorities

2020	2021
119.3	113.3

B: Total amount of aid granted (in millions EUR) paid by regional authorities

2020	2021
0	0

C: Total amount of aid granted (in millions EUR) paid by local authorities

2020	2021
0	0

Share of expenditure per aid instrument (direct subsidy, guarantees, etc.) (if available)

2020	2021
100% direct subsidy	100% direct subsidy
Additional quantitative information (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings)	
2020	2021
Large enterprise	Large enterprise

c) financial services

- Mission of banking accessibility entrusted to La Banque Postale

The banking accessibility mission was authorised by the European Commission for the period 2015-2020 in its Decision (SA.41147) of 24 October 2017, and for the period 2021-2026 in its Decision (SA.57570) of 26 July 2021.

Section viii. Financial services
Clear and comprehensive description of how the respective services are organised in your Member State
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list the contents of the services entrusted as SGEI as clearly as possible.
<p>La Banque Postale is under an obligation to grant unrestricted access to its Livret A savings account, in accordance with a 'universality' principle. Thus, Article L. 518-25 of the Monetary and Financial Code (CMF) requires La Poste to supply products and services to as many people as possible, in particular the Livret A; Articles L. 221-2 and L. 221-3 require La Banque Postale to grant a Livret A to any natural person, certain associations, low-rent housing organisations and co-owners' associations, on request.</p> <p>La Banque Postale is also obliged to offer, free of charge, basic services adapted to the use of its Livret A as a quasi-current account with easy access to cash and no possibility of being overdrawn. It is thus obliged to:</p> <p style="padding-left: 40px;">carry out deposit and withdrawal operations free of charge from EUR 1.50 (compared to EUR 10 in other networks) (Article R. 221-3 of the CMF);</p>

allow the account holder to carry out payment and withdrawal operations free of charge in all post offices where the same operations may be carried out by the holders of a postal current account (Article R. 221-5 of the CMF);

allow the Livret A, under the conditions laid down in the general rules on savings books, to be used for a list of transactions laid down by the Order of 4 December 2008, as amended, adopted pursuant to Article R. 221-5 of the CMF, namely:

- transfers of:
 - social benefits paid by public authorities and social security bodies;
 - pensions of public officials;
- direct debits of:
 - income tax, housing tax, property taxes or broadcasting licence fees;
 - water, gas and electricity bills;
 - rent owed to low-rent housing bodies and public/private companies managing social housing;
 - invoices due to electronic communications operators;

and offer the following additional services free of charge, as provided for in the agreement on the distribution and operation of Livret A between the State and La Banque Postale:

- transfer to the current account of the Livret A holder (of his or her legal representative or agent) regardless of which institution holds the account;
- banker's cheque made out to the Livret A holder (or his or her legal representative or agent);
- provision of debit card that can be used in all La Banque Postale's ATM machines.

-

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

- Article 2 of the amended Law No 90-568 of 2 July 1990.
- Articles L.221-2, L.221-3, L.518-25 and L.518-25-1(I) of the Monetary and Financial Code (CMF) and Articles R.221-3 and R.221-5 of the same code, laying down certain public service obligations for La Banque Postale.
- Articles L.221-6 and R.221-8-1 of the CMF, which lay down the principle of the payment of compensation.
- Order of 9 August 2021 setting the additional remuneration of La Banque Postale in respect of its obligations as regards the distribution and operation of the Livret A, adopted pursuant to Article R. 221-8-1 of the Monetary and Financial Code.
- Agreement on the distribution and operation of the Livret A, adopted pursuant to Articles L.221-1 and L.518-5-1 of the Monetary and Financial Code.

<ul style="list-style-type: none"> The methods of performing the mission are described and specified in a business contract between the State and La Poste, pursuant to Article 9 of the Law of 2 July 1990. Under this multiannual contract, the conditions of performance of the mission are regularly reviewed. 2016 and 2017 are covered by the 2013-2017 business contract signed on 1 July 2013. 2018 to 2022 are covered by the 2018-2022 business contract signed on 18 January 2018. The next contract, which should cover the years 2023-2027, is under preparation.
Average duration of the entrustment (in years) and the proportion of entrustments that are longer than 10 years (in %) per sector. Specify in which sectors SGEI were entrusted with a duration exceeding 10 years and explain how this duration is justified?
6 years
Explanation whether (typically) exclusive or special rights are assigned to the undertakings.
None
Which aid instruments have been used (direct subsidies, guarantees, etc.)?
Monthly compensation by the Fonds d'épargne (subsidy).
Typical compensation mechanism as regards the respective services and whether a methodology based on cost allocation or the net avoided cost methodology is used.
<p>The amount of compensation is based on a counterfactual scenario drawn up using the net avoided cost method (separation between the accounts of the SGEI activities and those of purely commercial activities).</p> <p>In the counterfactual scenario, it is assumed that La Banque Postale, acting as a rational market player, would remove all additional services intrinsically linked to the implementation of the SGEI. To date, as a result of the SGEI, La Banque Postale offers a series of specific services for customers falling within the scope of the banking accessibility mission.</p> <p>It is thus assumed in the counterfactual scenario that La Banque Postale, having abolished all the services implemented under the banking accessibility mission, would distribute a Livret A under 'ordinary law', with the same characteristics as those of the Livret A offered by the other French credit institutions.</p> <p>The Livret A thus would not fulfil the universality requirement or the 'free of charge' requirement, and would not incorporate the specific services and the ecosystem currently offered under the SGEI (operations and specific in-person support) to meet the specific needs of banking accessibility mission customers.</p> <p>In this context, however, it is assumed that banking accessibility mission customers would remain customers of La Banque Postale. Their current Livret A would not be removed, but would simply no longer benefit from the additional functionalities it currently has under the SGEI. Current banking accessibility mission customers would therefore no longer be able to use it as a quasi-current account.</p> <p>The counterfactual model shows that the discontinuation of the SGEI and the specific services provided by La Banque Postale (LBP) under the SGEI would specifically result in the elimination of four sets of costs (i) the elimination of the cash offering (deposit/withdrawal) at the counter</p>

for all LBP's customers (ii) the strict removal of four other 'non-standard' counter services (iii) the resizing of LBP's sales force and distribution network as a direct consequence of the removal of those services (iv) the indirect cost savings resulting from the elimination of those services.

On the basis of this model, the net avoided cost of the banking accessibility mission amounts to EUR 379 million in 2021.

Typical arrangements for avoiding and repaying any overcompensation.

If the compensation paid exceeds the net costs arising from the Livret A in the same year, the French State decides whether this excess can be treated as a reasonable profit under EU case-law, taking into account the risks and regulatory constraints associated with this activity. Otherwise, the French State determines the proportion of the excess amount of compensation that La Banque Postale must repay to it. Where this excess amount does not exceed 10% of the compensation actually due to La Banque Postale for the net costs arising from the Livret A, it may be carried forward and deducted from the payment due to La Banque Postale for the next month. Otherwise, La Banque Postale must repay this excess to the State no later than the 5th day of the following month.

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

The Directorate-General for Enterprise publishes, on its website, all the public information on the public service tasks assigned to La Poste, which includes in particular information relating to the banking accessibility mission¹⁹.

In addition, a great deal of information on the performance by La Poste of its banking accessibility tasks is available on the company's website²⁰.

Furthermore, the legal framework applicable to the banking accessibility mission entrusted to LBP and the amount of the public service compensation paid to that undertaking by the State are published in the Official Journal of the French Republic (legislative and regulatory provisions of the Monetary and Financial Code and Order setting the amount of compensation).

In its Decision SA.57570, the Commission stated that the transparency requirements in point 60 of the 2012 SGEI Framework had been complied with.

Amount of aid granted

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

2020	2021
330	338

¹⁹ <https://www.entreprises.gouv.fr/services/mission-daccessibilite-bancaire>

²⁰ <http://legroupe.laposte.fr/profil/les-missions-de-service-public/l-accessibilite-bancaire>

A: Total amount of aid granted (in millions EUR) paid by national central authorities	
2020	2021
330	338
B: Total amount of aid granted (in millions EUR) paid by regional authorities	
2020	2021
0	0
C: Total amount of aid granted (in millions EUR) paid by local authorities	
2020	2021
0	0
Share of expenditure per aid instrument (direct subsidy, guarantees, etc.) (if available)	
2020	2021
100%	100%
Additional quantitative information (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings)	
2020	2021
Sole beneficiary: La Poste Turnover: EUR 31 540 million (group) Number of staff: 248 906 full-time equivalent (FTE)	Sole beneficiary: La Poste Turnover: EUR 34 609 million (group) Number of staff: 244 980 FTE

d) Metrology: LNE (Laboratoire national de métrologie et d'essais – national metrology and testing laboratory)

- Decision C(2006) 5477 of 22 November 2006 on the State aid implemented by France for the Laboratoire national de métrologie et d'essais (C24/2005) - State aid compatible with Article 88 of the EC Treaty

Section ix. Other sectors
Clear and comprehensive description of how the respective services are organised in your Member State
Explanation of what kind of services in the respective sector have been defined as SGEI in your Member State. Please list the contents of the services entrusted as SGEI as clearly as possible.
<ol style="list-style-type: none"> 1. Provision of new measurement options, materials and traceable reference methods allowing manufacturers to connect their equipment. 2. Study and development, on behalf of various authorities, of test methods needed for the drafting of regulations and standards. 3. Development of tools to boost the competitiveness of undertakings and the quality of products. 4. Coordination of French metrology.
Explanation of the (typical) forms of entrustment . If standardised templates for entrustments are used for a certain sector, please attach them.
<ul style="list-style-type: none"> - Articles L 823-1 and L 823-2 and R 823-1 to R 823-14 of the Consumer Code; - Objectives and performance contract 2021-2024.
Average duration of the entrustment (in years) and the proportion of entrustments that are longer than 10 years (in %) per sector. Specify in which sectors SGEI were entrusted with a duration exceeding 10 years and explain how this duration is justified?
4 years
Explanation whether (typically) exclusive or special rights are assigned to the undertakings.
None
Which aid instruments have been used (direct subsidies, guarantees, etc.)?
Direct subsidies.
Typical compensation mechanism as regards the respective services and whether a methodology based on cost allocation or the net avoided cost methodology is used.
Methodology based on cost breakdown (cost accounting)
Typical arrangements for avoiding and repaying any overcompensation.
The activities covered by the SGEIs are often loss-making despite the aid.
A short explanation of how the transparency requirements (see Paragraph 60 of the 2012 SGEI Framework) are being complied with. In your answer please also include some relevant examples of information published for this purpose (e.g. links to websites or other references),

indicate whether you have a central website on which you publish this information for all aid measures concerned in your Member State (if so, provide the link to this website), or alternatively explain if and how the publication takes place at the level of the body granting the aid (e.g. central, regional or local level).	
Publication on the LNE website: http://www.lne.fr/	
Amount of aid granted	
Total amount of aid granted (in millions EUR). This includes all aid granted in your territory, including aid granted by regional and local authorities. (A+B+C)	
2020	2021
23	23
A: Total amount of aid granted (in millions EUR) paid by national central authorities	
2020	2021
23	23
B: Total amount of aid granted (in millions EUR) paid by regional authorities	
2020	2021
0	0
C: Total amount of aid granted (in millions EUR) paid by local authorities	
2020	2021
0	0
Share of expenditure per aid instrument (direct subsidy, guarantees, etc.) (if available)	
2020	2021
100% direct subsidy	100% direct subsidy
Additional quantitative information (e.g. number of beneficiaries per sector, average aid amount, size of the undertakings)	
2020	2021
Beneficiary undertaking size: Intermediate (620 employees)	Size of undertaking: Intermediate

4. Complaints by third parties

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

5. Miscellaneous questions

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

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

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

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

- carrying out a public consultation in line with paragraph 14 of the SGEI Framework;

With regard to carrying out a public consultation, the French authorities consider that the requirement as regards the condition of compatibility must remain reasonable. Moreover, even if we agree with the purpose of this condition of compatibility, it must not undermine the freedom of Member States to define the content and terms of SGEI (case of La Banque Postale). This condition of compatibility may result in an administrative burden and additional major costs for the authorities.

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

As regards determining the net avoided cost, the French authorities stress that this method can prove to be highly complex depending on the characteristics of the SGEI, as defined by the Member State.

Furthermore, it involves the generation of counterfactual scenarios (sometimes costly for the Member State) that make it much more difficult to determine the amount of compensation. The assumptions that have to be made when generating these scenarios sometimes seem artificial.

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

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

Mission of banking accessibility entrusted to La Banque Postale: the French authorities did not encounter any particular problem with these points.

1. As regards compliance with public procurement rules, the Commission states in Decision SA.57570 that the banking accessibility mission can come under the exemption concerning a single service provider and can be entrusted using a negotiated procedure without prior publication in accordance with Article 32(2)(b) of Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC.

ANNEX 2
Annual compensation for SGEIs not exceeding EUR 15 million or relating to a social sector

Awarding entity (A)	Sector affected (B)	Description of the type of service defined as SGEI and clarification of its content (C)	Type of entrustment used (D)	Duration of the entrustment (E)	Any exclusive or special rights granted to undertakings (F)	Aid instruments (G)	Description of the compensation mechanism (H)	Arrangements for avoiding and repaying any overcompensation (I)	Compliance with transparency requirements (J)	Amount of aid paid (K)	
										2020	2021
Auvergne-Rhône-Alpes Region	Other	Contract of agreed objectives with local television stations with a view to enhancing access to local information and the dissemination of audiovisual works and programmes of general interest, highlighting the diversity of the regional territory. Amount fixed annually by decision adopted in steering committee giving rise to an award agreement.	Multi-annual agreement on objectives and means	5 years	Information not available	Grant	Compensation determined on the basis of an assessment of the following costs: - production costs - editorial costs - broadcasting costs - fixed structural costs related to public service tasks	In the event of an irregularity or inadequacy in the amount of public service compensation, adjustment of the financial payments.	Not applicable (no SGEI operation with compensation of more than EUR 15 million)	384.000	384.000
Auvergne-Rhône-Alpes Region	Energy	Project for the renovation of 220 social housing units	Other	3 years	Information not available	Grant	The operation is part of a service of general economic interest (SGEI), pursuant to the provisions of the European Commission Decision 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. The absence of overcompensation in the project was verified by referring to the calculation table for the absence of overcompensation for an investment project on the energy renovation of social housing co-financed by the ERDF.	Verification carried out as soon as the application is examined, using an 'overcompensation spreadsheet' tool. For this case, the compensation rate is found to be below the authorised threshold of 100%. On submission of the grant payment claim, during the 'service delivered' check, the grant may be reduced in the event of overcompensation (more resources than foreseen at the preliminary examination stage). In the event of an audit by the audit authority (CICG), a repayment order may be sent to the beneficiary if the audit concludes that there is overcompensation.	Not applicable (no SGEI operation with compensation of more than EUR 15 million)		816.000
Auvergne-Rhône-Alpes Region	Energy	Energy upgrade of 138 dwellings in order to improve the thermal comfort of inhabitants, while reducing their energy vulnerability (target to reduce energy costs).	Other	4 years	Information not available	Grant	The operation is part of a service of general economic interest (SGEI), pursuant to the provisions of the European Commission Decision 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. The absence of overcompensation in the project was verified by referring to the calculation table for the absence of overcompensation for an investment project on the energy renovation of social housing co-financed by the ERDF.	Verification carried out as soon as the application is examined, using an 'overcompensation spreadsheet' tool. For this case, the compensation rate is found to be below the authorised threshold of 100%. On submission of the grant payment claim, during the 'service delivered' check, the grant may be reduced in the event of overcompensation (more resources than foreseen at the preliminary examination stage). In the event of an audit by the audit authority (CICG), a repayment order may be sent to the beneficiary if the audit concludes that there is overcompensation.	Not applicable (no SGEI operation with compensation of more than EUR 15 million)	665 000	
Auvergne-Rhône-Alpes Region	Energy	Energy upgrade project for the 274 social housing units in the 'Champ de Mars' residence in Vienne	Other	3 years	Information not available	Grant	The operation is part of a service of general economic interest (SGEI), pursuant to the provisions of the European Commission Decision 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. The absence of overcompensation in the project was verified by referring to the calculation table for the absence of overcompensation for an investment project on the energy renovation of social housing co-financed by the ERDF.	Verification carried out as soon as the application is examined, using an 'overcompensation spreadsheet' tool. For this case, the compensation rate is found to be below the authorised threshold of 100%. On submission of the grant payment claim, during the 'service delivered' check, the grant may be reduced in the event of overcompensation (more resources than foreseen at the preliminary examination stage). In the event of an audit by the audit authority (CICG), a repayment order may be sent to the beneficiary if the audit concludes that there is overcompensation.	Not applicable (no SGEI operation with compensation of more than EUR 15 million)	1.370.000	
Auvergne-Rhône-Alpes Region	Energy	Project for the energy upgrade of 164 social housing units	Other	3 years	Information not available	Grant	The project is part of a service of general economic interest (SGEI), under the provisions of the Commission Decision 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. The absence of overcompensation in the project was verified by referring to the calculation table for the absence of overcompensation for an investment project on the energy renovation of social housing co-financed by the ERDF.	Verification carried out as soon as the application is examined, using an 'overcompensation spreadsheet' tool. For this case, the compensation rate is found to be below the authorised threshold of 100%. On submission of the grant payment claim, during the 'service delivered' check, the grant may be reduced in the event of overcompensation (more resources than foreseen at the preliminary examination stage). In the event of an audit by the audit authority (CICG), a repayment order may be sent to the beneficiary if the audit concludes that there is overcompensation.	Not applicable (no SGEI operation with compensation of more than EUR 15 million)	717.841	
Department of Ain	Access to and reintegration into the labour market	Financing of socio-professional integration measures	Other	2-3 years	None	Grant	Reimbursement of SGEI-related expenditure in compliance with ESF regulations and obligations	Verification of the absence of overcompensation during 'service delivered' checks on the various ESF operations	Not applicable (no SGEI operation with compensation of more than EUR 15 million)	894.343	965.836
Community of Municipalities of Belle-Ile-en-Mer (CCBI)	Childcare	'Flexible' creches, early childhood centres and leisure centres without accommodation	Concession contract	6 years	Yes	Flat-rate financial contribution	Financial contribution to compensate for the shortfall in revenue resulting from the pricing policy implemented and having regard to the public service constraints imposed	Incentive clause; charge for occupancy of premises provided	Not applicable (no SGEI operation with compensation of more than EUR 15 million)	478.861	473.903
Department of Finistère	Access to and reintegration into the labour market	Reception, recruitment and employment on collective initiatives with support, monitoring, technical supervision and training with a view to facilitating their social and professional integration	Unilateral act (decision)	1 year	Yes	Grant	A lump sum of EUR 2 700 per FTE + EUR 1.80 per hour worked by a recipient of Revenu de Solidarité Active (earned income supplement) (RSA)	Monitoring of the association and recalculation of the actual number of posts	Not applicable (no SGEI operation with compensation of more than EUR 15 million)	172.337	168.337
Department of Finistère	Access to and reintegration into the labour market	Reception, recruitment and employment on collective initiatives with support, monitoring, technical supervision and training with a view to facilitating their social and professional integration	Unilateral act (decision)	6 years	Yes	Grant	A lump sum of EUR 2 700 per FTE + EUR 1.80 per hour worked by a recipient of Revenu de Solidarité Active (earned income supplement) (RSA)	Monitoring of the association and recalculation of the actual number of posts	Not applicable (no SGEI operation with compensation of more than EUR 15 million)	229.197	226.197
Department of Finistère	Access to and reintegration into the labour market	Reception, recruitment and employment on collective initiatives with support, monitoring, technical supervision and training with a view to facilitating their social and professional integration	Unilateral act (decision)	8 years	Yes	Grant	A lump sum of EUR 2 700 per FTE + EUR 1.80 per hour worked by a recipient of Revenu de Solidarité Active (earned income supplement) (RSA)	Monitoring of the association and recalculation of the actual number of posts	Not applicable (no SGEI operation with compensation of more than EUR 15 million)	230.136	236.412
Department of Finistère	Access to and reintegration into the labour market	Reception, recruitment and employment on collective initiatives with support, monitoring, technical supervision and training with a view to facilitating their social and professional integration	Unilateral act (decision)	9 years	Yes	Grant	A lump sum of EUR 2 700 per FTE + EUR 1.80 per hour worked by a recipient of Revenu de Solidarité Active (earned income supplement) (RSA)	Monitoring of the association and recalculation of the actual number of posts	Not applicable (no SGEI operation with compensation of more than EUR 15 million)	144.688	214.688
Lorient Agglomeration	Other	Management, operation, coordination of nautical equipment, promotion and development of nautical activities in the Lorient Agglomeration	Concession contract	7 years	Information not available	Compensation for public service constraints	Fixed contribution indexed to the evolution of the FSD3 index and the index value in the national collective agreement for ports	The annual analysis of the detailed accounts and the detailed balance sheets is used to check that there has been no overcompensation. It is also used to produce reports delivered during meetings of the Consultative Committee for Local Public Services.	Not applicable (no SGEI operation with compensation of more than EUR 15 million)	3.137.384	3.127.597
Lorient Agglomeration	Culture	Operation, management and coordination of museum facilities in the Eric Tabarly sailing centre and the Flore submarine centre in Lorient, and the horse discovery area at the Hennebont national stud farm	Concession contract	5 years	Information not available	Compensation for public service constraints	Fixed contribution indexed to the evolution of the FSD3 index and the index value in the national collective agreement for ports	The annual analysis of the detailed accounts and the detailed balance sheets is used to check that there has been no overcompensation. It is also used to produce reports delivered during meetings of the Consultative Committee for Local Public Services.	Not applicable (no SGEI operation with compensation of more than EUR 15 million)	1.108.259	1.111.700
Lorient Agglomeration	Other	Management, operation, coordination and promotion of the Scoffr skating rink	Concession contract	5 years	Information not available	Compensation for public service constraints	Fixed contribution negotiated under the concession contract covering the operating costs of the service	The annual analysis of the detailed accounts and the detailed balance sheets is used to check that there has been no overcompensation. It is also used to produce reports delivered during meetings of the Consultative Committee for Local Public Services.	Not applicable (no SGEI operation with compensation of more than EUR 15 million)	185.000	185.000
Lorient Agglomeration	Culture	Management, coordination of rehearsal studios and promotion of current music in the Lorient Agglomeration	Concession contract	5 years	Information not available	Compensation for public service constraints	Fixed contribution negotiated under the concession contract covering the operating costs of the service	The annual analysis of the detailed accounts and the detailed balance sheets is used to check that there has been no overcompensation. It is also used to produce reports delivered during meetings of the Consultative Committee for Local Public Services.	Not applicable (no SGEI operation with compensation of more than EUR 15 million)	649.508	662.757
Chateaugiron intermunicipal authority	Childcare	Public service delegation for the operation and management of two 'flexible' childcare facilities (Libelle in Châteaugiron and Coccinelle in Noyal sur Vilaine)	Concession contract	5 years	Information not available	Flat-rate financial contribution	The amount of compensation is determined on the basis of the projected operating account drawn up on the basis of a financial occupancy rate of 78.53%.	If the annual operating result exceeds EUR 40 000, the delegated party transfers a share of the difference to the delegating authority. The share returned to the delegating authority is 33% of the difference between the share of the result above EUR 40 000 and the actual result.	Not applicable (no SGEI operation with compensation of more than EUR 15 million)	396.144	387.190
Chateaugiron intermunicipal authority	Other	Public service delegation for the operation of the INOXIA inter-municipal aquatic centre – Contract 2016-2022	Concession contract	6 years	Information not available	Flat-rate financial contribution	The amounts of the flat-rate financial contribution are determined on the basis of the projected operating account; this contribution can be amended by amendment.	In the event of an improvement in gross profit compared with that shown in the projected operating account, the delegated party will pay to the local authority a share equal to 50% of the surplus profit.	Not applicable (no SGEI operation with compensation of more than EUR 15 million)	325.195	324.133
Saint-Malo Agglomeration	Waste collection	Saint-Malo Agglomeration (SMA) has been directly managing the door-to-door collection of waste since 2004. The collection service is provided in the 18 municipalities that make up the agglomeration. SMA also has five waste tips for use by private individuals. SMA has been increasing the number of recycling points over the last few years; they are available 24/7 (excluding glass recycling banks, which cannot be used between 10 pm and 7 am).	Unilateral act (decision)	Not applicable	Not applicable	Domestic waste removal charge (Taxe d'enlèvement des ordures ménagères, TEOM)	Financing of the cost of the waste collection service via TEOM	None	Not applicable (no SGEI operation with compensation of more than EUR 15 million)	14.202.071	14.192.680
Vallons de Haute Bretagne Community	Culture	The VHBC music school allows as many people as possible, regardless of age and resources, to practice amateur music on an amateur basis. It is managed <u>directly</u> (without a public contract)	Other	Not applicable	Not applicable	Budget	Budgetary contribution to the costs of the directly-managed service	Not applicable	Not applicable (no SGEI operation with compensation of more than EUR 15 million)	380.712	373.541
Vallons de Haute Bretagne Community	Childcare	The VHBC leisure centre consists of two branches, one located in La Chapelle-Bouhvic and a second in Val d'Anast. It welcomes children aged between 3 and 12 every Wednesday and during school holidays. The 'young community' spaces welcome everyone between 12 and 18 and offer access to leisure and culture. The facilitators promote social ties and support young people in implementing personal or collective projects. This service is managed by facilitators from the Léo Lagrange Federation	Public procurement contract	5 years	Information not available	Public contract price and benefit in kind (provision of premises)	No compensation mechanism used	Review clause allowing for the implementation of an amendment in accordance with the conditions for the revision of prices in the contract Repayment of the amount of funding overpaid, in particular where the service provider obtains financing not planned when the contract was awarded (grant from the Family Allowances Fund, DDCSPP (Departmental Directorate for Social Cohesion and Protection of the Population), etc.)	Not applicable (no SGEI operation with compensation of more than EUR 15 million)	339.159	359.887

The SGEI Decision in your Member State		Total amount for the whole Member State	
		2020	2021
Article 2(1)(b)	Hospitals providing medical care, including emergency departments where applicable	€ 89.300.000.000,00	€ 93.500.000.000,00
Article 2(1)(c)	Health and long-term care		
	Childcare	€ 400.585.166,00	Not available
	Access to and reintegration into the labour market	€ 5.858.300.000,00	€ 6.664.366.000,00
	Social housing	€ 6.673.480.000,00	€ 7.209.360.000,00
	Care and social inclusion of vulnerable groups	€ 4.550.000,00	€ 8.990.000,00
	Other social services		
Article 2(1)(d)	Air or maritime links		
Article 2(1)(e)	Airports and ports		
Article 2(1)(a), less than EUR 15 million per year	Postal services		
	Energy		
	Waste collection		
	Water supply		
	Culture		
	Financial services		
	Others	€ 27.900.000,00	€ 29.548.000,00

The SGEI Framework in your Member State	Total amount for the whole Member State	
	2020	2021
Postal services	€ 256.600.000,00	€ 261.800.000,00
Energy		
Waste collection		
Water supply		
Air or maritime links		
Airports and ports		
Culture	€ 119.300.000,00	€ 113.300.000,00
Financial services	€ 330.000.000,00	€ 338.000.000,00
Others	€ 23.000.000,00	€ 23.000.000,00