

Interreg



Co-funded by
the European Union

Italy – Croatia

*CATCHING THE WAVES
OF COOPERATION*

INFODAYS

State Aid

December 2022



STATE AID - TFUE ART. 107.1

FIVE Criteria:

- State resources (always occurs in Interreg Projects);
- Undertaking which is carrying out an economic activity (legal form completely irrelevant);
- Economic advantage by participating in the project (which an undertaking would not have obtained under normal market conditions);
- Selective favouring certain undertakings (certain enterprise, territories, sectors?);
- Distorts or threatens to distort competition (if undertaking and selective advantage it is often concluded that this criterion is met);





STATE AID – JEMS

- A - Project identification
- A - Project overview tables
- B - Project partners** ▼
- C - Project description ▲
 - C.1 Project overall objective
 - C.2 Project relevance and context
 - C.3 Project partnership
 - C.4 Project work plan
 - C.5 Project Results
 - C.6 Project Time Plan
 - C.7 Project management
 - C.8 Long-term plans
- D - Project budget ▲
 - D.1 Project budget per fund
 - D.2 Overview partner / cost category
 - D.3 Overview budget / period
- E - Project lump sums and unit costs ▲
 - E.1 - Project lump sums
- [Application annexes](#)
- [Check & Submit](#)
- [Export](#)

State aid criteria self-check

Criterion I: Is the partner involved in economic activities through the project?
Please consider questions below, answer Yes/No and briefly justify

State aid question	Answer	Justification
1. Will the project applicant implement activities and/or offer goods/services for which a market exists?	<input type="button" value="Yes"/> <input type="button" value="No"/>	Enter text here TEST
2. Are there activities/goods/services that could have been undertaken by an operator with the view to making profit (even if this is not the applicant's intention)?	<input type="button" value="Yes"/> <input type="button" value="No"/>	Enter text here TEST

Criterion II: Does the partner receive an undue advantage in the framework of the project?
Please consider questions below, answer Yes/No and briefly justify

State aid question	Answer	Justification
1. Does the project applicant plan to carry out the economic activities on its own i.e. not to select an external service provider via public procurement procedures for example?	<input type="button" value="Yes"/> <input type="button" value="No"/>	Enter text here TEST
2. Will the project applicant, any other operator not included in the project as a project partner or the target audience gain any benefits from its project economic activities, not received in the normal course of business (i.e. not received in the absence of funding granted through the project)?	<input type="button" value="Yes"/> <input type="button" value="No"/>	Enter text here TEST



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C - Project description ^

- C.1 Project overall objective
- C.2 Project relevance and context
- C.3 Project partnership
- C.4 Project work plan
 - WP1
 - WP2
- C.5 Project Results

Result of State aid criteria self-check: There is a risk of State aid

State aid relevant activities

- ACTIVITY 1.1 ✕
- ACTIVITY 1.3 ✕

GBER scheme / de minimis
General de minimis





STATE AID - Direct Aid

General Block Exemption Regulation (GBER) Aid for European Territorial Cooperation – art. 20 and art. 20a

- Incentive effect does not apply to art. 20 and 20a;
- Deggendorf rule (recovery orders) - does not apply to art. 20 and 20a;
- SME status check required for all articles which make a distinction between SME and large - does not apply to art. 20 and 20a





STATE AID - Direct Aid

- GBER Art. 20
- Open for all kind of enterprises;
- Same eligible costs as in art. 38 - 44 of Interreg Regulation 2021/1059;
- SCOs compatible;
- The fishery and aquaculture sector and the primary agricultural production sector eligible;
- Threshold of aid: EUR 2 million per undertaking, per project as before (for Interreg – Italy Programme with 80%, EUR 2 million ERDF + EUR 0,5 million private funds);
- Public sources cannot exceed 80%, the rest (20%) must come from PP own sources. Partners receiving the ERDF from the Programme under the GBER regime cannot receive any additional public co-financing to their budgets (e.g. Italian PPs cannot receive the Italian public co-financing - i.e. “Fondo di Rotazione”).





STATE AID - Direct Aid

GBER - art. 20a

- Threshold of aid: up to EUR 20.000 per undertaking per project;
- The fishery and aquaculture sector and the primary agricultural production sector eligible.





De minimis

General De minimis (Eu Reg. 1407/2013)

- The amounts of de minimis aid granted per **Member State** to a **single undertaking** (as a whole group) within the last 3 financial years cannot exceed EUR 200.000;
- Road freight transport sector EUR 100.000;
- MA administrative proceedings
 - ✓ check of de Italian de minimis register (Registro Nazionale Aiuti – RNA) both for Italian and Croatian companies;
 - ✓ de minimis letter;
- Possible reduction of the ERDF granted by the Programme in order to ensure the respect of the applicable de minimis threshold.





State Aid - Indirect Aid (*granted to third Parties*)

GBER - art. 20 a

- Threshold of aid: up to EUR 20.000 per undertaking per project;
- Can be applied to voucher schemes, trainings, etc.
- The fishery and aquaculture sector and the primary agricultural production sector eligible;
- The amount of aid granted to each final beneficiary shall be determined by the concerned partners prior to the implementation of project activities and it shall be approved by the MA/JS.



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Veneto Region

Area for Economic Policies, Human Capital
and Programming of European Funds
Directorate for Joint Programming



Dorsoduro, 3494/A - 30123 Venezia Italy
Franka Lisice 77, 23000 Zadar, Croatia



js.italy-croatia@regione.veneto.it
js.it-hr.antenna@mrrfeu.hr



+39 041 2793120
+385 23 316 336



www.italy-croatia.eu