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Information and Notices

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⁽¹⁾ Text with EEA relevance

I

(Information)

COMMISSION

Euro exchange rates ⁽¹⁾

4 June 2002

(2002/C 133/01)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	0,9435	LVL	Latvian lats	0,5811
JPY	Japanese yen	116,44	MTL	Maltese lira	0,4118
DKK	Danish krone	7,4333	PLN	Polish zloty	3,7939
GBP	Pound sterling	0,645	ROL	Romanian leu	31537
SEK	Swedish krona	9,1451	SIT	Slovenian tolar	225,6141
CHF	Swiss franc	1,4682	SKK	Slovak koruna	43,795
ISK	Iceland króna	85,38	TRL	Turkish lira	1358000
NOK	Norwegian krone	7,4435	AUD	Australian dollar	1,64
BGN	Bulgarian lev	1,9530	CAD	Canadian dollar	1,4417
CYP	Cyprus pound	0,57988	HKD	Hong Kong dollar	7,3591
CZK	Czech koruna	30,365	NZD	New Zealand dollar	1,9158
EEK	Estonian kroon	15,6466	SGD	Singapore dollar	1,6831
HUF	Hungarian forint	242,63	KRW	South Korean won	1141,73
LTL	Lithuanian litas	3,4529	ZAR	South African rand	9,1449

⁽¹⁾ Source: reference exchange rate published by the ECB.

Information procedure — Technical rules

(2002/C 133/02)

(Text with EEA relevance)

Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations and rules on Information Society services (OJ L 204, 21.7.1998, p. 37; OJ L 217, 5.8.1998, p. 18).

Notifications of draft national technical rules received by the Commission

Reference	Title	End of three-month standstill period
2002/170/NL	Draft Decree amending the vehicle rules in connection with the rendering compulsory of certain devices that enhance the field of vision in company cars	(³)
2002/171/FIN	A proposal regarding an amendment to the Regulation on charges by the Communications Office of the Ministry of Transport and Communication	(⁴)
2002/183/F	Draft Decree on the labelling of sheepmeat	14.8.2002
2002/184/F	Draft Decree on the traceability of sheep- and goatmeat	14.8.2002
2002/185/D	Amendments to Building Regulation List A, Parts 1 and 2, Building Regulation List B and List C — edition 2002/1 — to be issued 2002/2	16.8.2002
2002/187/I	Draft Ministerial Decree on: 'Technical requirements for the construction and installation of buried tanks intended for storage of liquid fuels for motor vehicles at distribution stations'	16.8.2002
2002/188/I	Ministerial Decree laying down: 'Provisions on the type-approval procedures for public service trolley vehicles'	19.8.2002
2002/189/UK	United Kingdom Radio Interface Requirement 2027, CB transmitters and receivers for use in the citizens' band radio	22.8.2002
2002/190/I	Decisions of the Regional Council No 405 of 22 April 2002: 'Regional Law No 25/99 — products of integrated agriculture — general principles for the post-harvest phase of cereal production and general principles for zootechnical production'	22.8.2002

(¹) Year — registration number — Member State of origin.

(²) Period during which the draft may not be adopted.

(³) No standstill period since the Commission accepts the grounds of urgent adoption invoked by the notifying Member State.

(⁴) No standstill period since the measure concerns technical specifications or other requirements linked to fiscal or financial measures, pursuant to the third indent of the second paragraph of Article 1(11) of Directive 98/34/EC.

(⁵) Information procedure closed.

The Commission draws attention to the judgment given on 30 April 1996 in the 'CIA Security' case (C-194/94 — ECR I, p. 2201), in which the Court of Justice ruled that Articles 8 and 9 of Directive 98/34/EC (formerly 83/189/EEC) are to be interpreted as meaning that individuals may rely on them before the national court which must decline to apply a national technical regulation which has not been notified in accordance with the Directive.

This judgment confirms the Commission's Communication of 1 October 1986 (OJ C 245, 1.10.1986, p. 4).

Accordingly, breach of the obligation to notify renders the technical regulations concerned inapplicable, so that they are unenforceable against individuals.

If you require any information on these notifications, please contact the national departments listed below:

LIST OF NATIONAL DEPARTMENTS RESPONSIBLE FOR THE MANAGEMENT OF DIRECTIVE 98/34/EC

BELGIUM

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SPAIN

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64-70 allée de Bercy — télédéc 811
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EFTA — ESA

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Non-opposition to a notified concentration**(Case COMP/M.2712 — Electrabel/TotalFinaElf/Photovoltaic)**

(2002/C 133/03)

(Text with EEA relevance)

On 18 April 2002 the Commission decided not to oppose the above notified concentration and to declare it compatible with the common market. This decision is based on Article 6(1)(b) of Council Regulation (EEC) No 4064/89. The full text of the decision is only available in English and will be made public after it is cleared of any business secrets it may contain. It will be available:

- as a paper version through the sales offices of the Office for Official Publications of the European Communities (see list on the last page),
- in electronic form in the 'CEN' version of the CELEX database, under document No 302M2712. CELEX is the computerised documentation system of European Community law.

For more information concerning subscriptions please contact:

EUR-OP,
Information, Marketing and Public Relations,
2, rue Mercier,
L-2985 Luxembourg.
Tel. (352) 29 29 427 18, fax (352) 29 29 427 09.

Non-opposition to a notified concentration**(Case COMP/M.2740 — Scottish & Newcastle/Hartwall)**

(2002/C 133/04)

(Text with EEA relevance)

On 4 April 2002 the Commission decided not to oppose the above notified concentration and to declare it compatible with the common market. This decision is based on Article 6(1)(b) of Council Regulation (EEC) No 4064/89. The full text of the decision is only available in English and will be made public after it is cleared of any business secrets it may contain. It will be available:

- as a paper version through the sales offices of the Office for Official Publications of the European Communities (see list on the last page),
- in electronic form in the 'CEN' version of the CELEX database, under document No 302M2740. CELEX is the computerised documentation system of European Community law.

For more information concerning subscriptions please contact:

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Information, Marketing and Public Relations,
2, rue Mercier,
L-2985 Luxembourg.
Tel. (352) 29 29 427 18, fax (352) 29 29 427 09.

Non-opposition to a notified concentration**(Case COMP/M.2148 — ABB/Avireal/JV)**

(2002/C 133/05)

(Text with EEA relevance)

On 8 November 2000 the Commission decided not to oppose the above notified concentration and to declare it compatible with the common market. This decision is based on Article 6(1)(b) of Council Regulation (EEC) No 4064/89. The full text of the decision is only available in German and will be made public after it is cleared of any business secrets it may contain. It will be available:

- as a paper version through the sales offices of the Office for Official Publications of the European Communities (see list on the last page),
- in electronic form in the 'CDE' version of the CELEX database, under document No 300M2148. CELEX is the computerised documentation system of European Community law.

For more information concerning subscriptions please contact:

EUR-OP,
Information, Marketing and Public Relations,
2, rue Mercier,
L-2985 Luxembourg.
Tel. (352) 29 29 427 18, fax (352) 29 29 427 09.

Non-opposition to a notified concentration**(Case COMP/M.2801 — RWE/Innogy)**

(2002/C 133/06)

(Text with EEA relevance)

On 17 May 2002 the Commission decided not to oppose the above notified concentration and to declare it compatible with the common market. This decision is based on Article 6(1)(b) of Council Regulation (EEC) No 4064/89. The full text of the decision is only available in English and will be made public after it is cleared of any business secrets it may contain. It will be available:

- as a paper version through the sales offices of the Office for Official Publications of the European Communities (see list on the last page),
- in electronic form in the 'CEN' version of the CELEX database, under document No 302M2801. CELEX is the computerised documentation system of European Community law.

For more information concerning subscriptions please contact:

EUR-OP,
Information, Marketing and Public Relations,
2, rue Mercier,
L-2985 Luxembourg.
Tel. (352) 29 29 427 18, fax (352) 29 29 427 09.

Prior notification of a concentration**(Case COMP/M.2747 — Ondeo/Thames Water/Water Portal)****Candidate case for simplified procedure**

(2002/C 133/07)

(Text with EEA relevance)

1. On 28 May 2002 the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 ⁽¹⁾, as last amended by Regulation (EC) No 1310/97 ⁽²⁾, by which the undertakings Ondeo, (Ondeo, France) belonging to the Suez Lyonnaise des Eaux Group (France) and Thames Water (Thames Water, United Kingdom) belonging to the RWE Group (Germany), acquire, within the meaning of Article 3(1)(b) of the Regulation, joint control of a newly created company constituting a joint venture (Water Portal), by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- Ondeo: water-related services such as wastewater treatment, water treatment process engineering, etc.,
- Thames Water: water and wastewater services,
- Water Portal: operation of an Internet-based market-place for the water industry.

3. On preliminary examination, the Commission finds that the notified concentration could fall within the scope of Regulation (EEC) No 4064/89. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Regulation (EEC) No 4064/89 ⁽³⁾, it should be noted that this case is a candidate for treatment under the procedure set out in the notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent by fax (No (32-2) 296 43 01 or 296 72 44) or by post, under reference COMP/M.2747 — Ondeo/Thames Water/Water Portal, to:

European Commission,
Directorate-General for Competition,
Directorate B — Merger Task Force,
J-70,
B-1049 Brussels.

⁽¹⁾ OJ L 395, 30.12.1989, p. 1; corrigendum: OJ L 257, 21.9.1990, p. 13.

⁽²⁾ OJ L 180, 9.7.1997, p. 1; corrigendum: OJ L 40, 13.2.1998, p. 17.

⁽³⁾ OJ C 217, 29.7.2000, p. 32.

Prior notification of a concentration**(Case COMP/M.2831 — DSV/TNT Logistics/DSV Logistics)**

(2002/C 133/08)

(Text with EEA relevance)

1. On 24 May 2002 the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 ⁽¹⁾, as last amended by Regulation (EC) No 1310/97 ⁽²⁾, by which the undertaking TNT Logistics, belonging to the TPG Group, (Netherlands) acquires, within the meaning of Article 3(1)(b) of the Regulation, joint control of the two existing companies DSV Logistic Holding A/S (Denmark) and DFDS Transport Logistics OY (Finland), currently wholly-owned subsidiaries of De Sammensluttende Vognmæ A/S, 'DSV' (Denmark) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- TNT Logistics: general contract logistics services,
- DSV: transport, general contract logistics services and environmental activities,
- DVS: Logistics Holdings A/S: general contract logistics services,
- DFDS Transport Logistics: general contract logistics services.

3. On preliminary examination, the Commission finds that the notified concentration could fall within the scope of Regulation (EEC) No 4064/89. However, the final decision on this point is reserved.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent by fax (No (32-2) 296 43 01 or 296 72 44) or by post, under reference COMP/M.2831 — DSV/TNT Logistics/DSV Logistics, to:

European Commission,
Directorate-General for Competition,
Directorate B — Merger Task Force,
J-70,
B-1049 Brussels.

⁽¹⁾ OJ L 395, 30.12.1989, p. 1; corrigendum: OJ L 257, 21.9.1990, p. 13.

⁽²⁾ OJ L 180, 9.7.1997, p. 1; corrigendum: OJ L 40, 13.2.1998, p. 17.

Prior notification of a concentration**(Case COMP/M.2803 — Telia/Sonera)**

(2002/C 133/09)

(Text with EEA relevance)

1. On 28 May 2002 the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 ⁽¹⁾, as last amended by Regulation (EC) No 1310/97 ⁽²⁾, by which the undertaking Telia AB (Telia), of Sweden, acquires, within the meaning of Article 3(1)(b) of the Regulation, control of the whole of Sonera Corporation (Sonera) of Finland, by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— Telia: Swedish-based telecommunications company which provides services mainly in mobile communication, international carrier operations and fixed networks,

— Sonera: Finnish-based telecommunications company which provides mobile and advanced telecommunications, fixed networks business and service businesses.

3. On preliminary examination, the Commission finds that the notified concentration could fall within the scope of Regulation (EEC) No 4064/89. However, the final decision on this point is reserved.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent by fax (No (32-2) 296 43 01 or 296 72 44) or by post, under reference COMP/M.2803 — Telia/Sonera, to:

European Commission,
Directorate-General for Competition,
Directorate B — Merger Task Force,
J-70,
B-1049 Brussels.

⁽¹⁾ OJ L 395, 30.12.1989, p. 1; corrigendum: OJ L 257, 21.9.1990, p. 13.

⁽²⁾ OJ L 180, 9.7.1997, p. 1; corrigendum: OJ L 40, 13.2.1998, p. 17.

Authorisation for State aid pursuant to Articles 87 and 88 of the EC Treaty**Cases where the Commission raises no objections**

(2002/C 133/10)

(Text with EEA relevance)

Date of adoption of the decision: 27.2.2002**Member State:** France**Aid No:** N 234/01**Title:** R & D aid for Snecma**Objective:** Development of high-thrust aircraft engines**Legal basis:** Loi de finances annuelle**Budget:** EUR 102 million**Aid intensity or amount:** Repayable advance of EUR 102 million**Duration:** Payment of advance staggered over the period 2001-2004

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at

http://europa.eu.int/comm/secretariat_general/sgb/state_aids

Date of adoption of the decision: 5.3.2002**Member State:** Italy**Aid No:** N 343/01**Title:** R & D aid**Objective:** R & D**Legal basis:** Modello di regolamento per la concessione delle agevolazioni nello specifico settore della ricerca, ai sensi della legge 598/94**Budget:** EUR 206 582 759,64 for 2002 and EUR 258 228 449,54 for each year from 2003 to 2006**Aid intensity or amount:** Variable, depending on stage of research and the regions eligible for the derogations provided for in Article 87(3)(a) and (c) of the EC Treaty**Duration:** Until 31 December 2006**Other information:** Annual implementing report to be sent to the Commission

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at

http://europa.eu.int/comm/secretariat_general/sgb/state_aids

Date of adoption of the decision: 9.4.2002**Member State:** United Kingdom**Aid No:** N 606/01**Title:** Community Development Venture Fund**Objective:** SME development**Legal basis:** Industrial Development Act 1982 (Section 8)**Budget:** Up to GBP 20 million (approximately EUR 32,8 million at present exchange rates)**Aid intensity or amount:** The government's participation will not exceed 50 % of the capital of the Community Development Venture Fund, with a maximum of GBP 20 million

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at

http://europa.eu.int/comm/secretariat_general/sgb/state_aids

Date of adoption of the decision: 12.3.2002**Member State:** France**Aid No:** N 702/A/01**Title:** Individual cases under the MEDEA+ scheme (T 201, T 301 and T 304)**Objective:** Development of new generations of integrated circuits**Legal basis:** Programme MEDEA+**Budget:** EUR 76 million**Aid intensity or amount:** Maximum 50 %

Duration: 2001-2004

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at

http://europa.eu.int/comm/secretariat_general/sgb/state_aids

Date of adoption of the decision: 20.12.2001

Member State: United Kingdom

Aid No: N 722/2000

Title: Coafields Enterprise Fund

Objective: Stimulate the availability of risk capital for SMEs in the coalfield areas of England

Legal basis: Industrial Development Act 1982, Section 8

Budget: GBP 5 million per year for two years (approximately EUR 8,1 million per year)

Duration: Ten years

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at

http://europa.eu.int/comm/secretariat_general/sgb/state_aids

Date of adoption of the decision: 28.11.2001

Member State: Germany

Aid No: N 727/01

Title: Support for the film industry in Schleswig-Holstein — 'Kulturelle Filmförderung Schleswig-Holstein e. V.'

Objective: Cinema

Legal basis: Förderrichtlinien der kulturellen Filmförderung Schleswig-Holstein e. V. 2001

Budget: EUR 200 000 per year

Aid intensity or amount: Always below 50 %

Duration: Until and of 2004

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at

http://europa.eu.int/comm/secretariat_general/sgb/state_aids

Date of adoption of the decision: 19.4.2002

Member State: Spain

Aid No: N 739/01

Title: R & D aid

Objective: R & D

Legal basis: Orden de 18 de octubre de 2001, y modificaciones, por el que se establecen las bases, el régimen de ayudas y la gestión del Programa Torres Quevedo para facilitar la incorporación de Doctores y Tecnólogos a empresas y centros tecnológicos en el Marco del Programa Nacional de Potenciación de Recursos Humanos del Plan Nacional de Investigación Científica, Desarrollo e Innovación Tecnológica (2000-2003)

Budget: EUR 21,04 million for 2002, EUR 21,46 million for 2003, and EUR 21,89 million for 2004

Aid intensity or amount: Variable

Duration: Until 31 December 2004

Other information: Annual report to be presented to the Commission

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at

http://europa.eu.int/comm/secretariat_general/sgb/state_aids

Date of adoption of the decision: 24.4.2002

Member State: United Kingdom

Aid No: N 863/01

Title: Aggregates Levy Northern Ireland

Objective: Environmental aid

Legal basis: Finance Act 2001, Section 16-49 and Schedules 4-10

Aid intensity or amount: GBP 45 million

Duration: 2002-2007

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at

http://europa.eu.int/comm/secretariat_general/sgb/state_aids

Information communicated by Member States regarding State aid granted under Commission Regulation (EC) No 70/2001 of 12 January 2001 on the application of Articles 87 and 88 of the EC Treaty to State aid to small and medium-sized enterprises

(2002/C 133/11)

(Text with EEA relevance)

Aid No: XS/04/01

Member State: Germany

Region: Lower Saxony — rural district of Friesland

Title of aid scheme or name of the company receiving an individual aid: District of Friesland Rules (*Richtlinie*) on grants to promote individual businesses in Friesland

Legal basis: § 108 der Niedersächsischen Landkreisordnung (NLO) in der Fassung vom 22.8.1996 (Niedersächsisches Gesetz- und Verordnungsblatt, S. 365) i. V. mit § 65 der Niedersächsischen Gemeindeordnung (NGO) in der Fassung vom 22.8.1996 (Niedersächsisches Gesetz- und Verordnungsblatt, S. 382)

Annual expenditure planned under the scheme or overall amount of individual aid granted to the company: EUR 409 000

Maximum aid intensity: The whole of the rural district of Friesland lies within the national assisted areas map approved by the Commission.

The aid amounts:

- in the case of small enterprises, to no more than 25 %,
- and in the case of medium-sized enterprises, to no more than 17,5 %

of eligible investment expenditure.

The rules on the combination of aid are complied with

Date of implementation: From 1 June 2001

Duration of scheme or individual aid award: 1 June 2001 to 31 December 2006

Objective of aid: The aid is intended to promote the competitiveness and adaptability of small and medium-sized enterprises in the rural district of Friesland, to encourage the creation of new jobs and help safeguard existing ones and thereby to bring about structural improvements.

Rescue and restructuring aid for firms in difficulty (within the meaning of the Community guidelines on State aid for rescuing

and restructuring firms in difficulty: OJ C 288, 9.10.1999) is not covered by the measure.

Aid may be granted for the following types of investment project:

- setting-up of an establishment,
- extension of an establishment if the number of long-term full-time jobs is increased by 15 % as compared with the situation before the start of the investment,
- rationalisation, diversification or modernisation of an establishment if this serves to ensure the continued existence of the business and the maintenance of most of the jobs,
- acquisition of an establishment threatened with closure, provided that this is done on market terms.

The long-term jobs created through the aid must be maintained for at least two years after payment of the grant.

The aid takes the form of investment grants.

All depreciable fixed assets relating to physical and intangible assets are eligible

Economic sector(s) concerned: Those entitled to apply are SMEs in manufacturing, the craft sector, the distributive trades, the hotel industry, other service-sector firms and persons working in the business-related professions whose place of business is in the rural district of Friesland. Aid may not be granted to firms in sensitive sectors

Name and address of the granting authority:

Landkreis Friesland
Lindenallee 1
D-26441 Jever

Other information:

Mr Schnieder
Tel. (044-61) 91 93 08
Fax (044-61) 91 98 86
E-mail: F.Schnieder@friesland.de

Aid No: XS/09/01

Member State: Italy

Title of aid scheme or name of the company receiving an individual aid: Aid to improve the environment and safety in order to prevent accidents at some types of mine

Legal basis: Legge 23 dicembre 2000, n. 388 — art. 114, comma 4

Annual expenditure planned under the scheme or overall amount of individual aid granted to the company: The total annual budget allocation is EUR 4 131 655 for 2001 and EUR 7 746 853 for both years 2002 and 2003. The expected annual expenditure is approximately EUR 12 million for the first phase, to be completed in 2002, and EUR 7,70 million for the next phase, in 2003

Maximum aid intensity: The maximum gross aid intensity, as a percentage of eligible investments costs, is 15 % for small enterprises and 7,5 % for medium-sized enterprises

For investments made in depressed areas covered by Article 87(3)(c), the gross aid intensity, with reference to the eligible investment costs, may be increased in line with the following table:

	Small enterprises Medium-sized enterprises
Molise and Abruzzo	up to 30 % up to 30 %
Central and Northern Italy	up to 18 % up to 14 %

For investments made in regions covered by Article 87(3)(a), the gross aid intensity, with reference to the eligible investment costs, may be increased in line with the following table:

	SMEs
Calabria	up to 65 %
Campania, Puglia, Basilicata, Sicily and Sardinia	up to 50 %

Date of implementation: The aid can be granted after publication of the tender notice in the Italian Law Gazette which is scheduled for October 2001

Duration of scheme or individual aid award: December 2005

Objective of aid: Optimum environmental restructuring and increased levels of safety and accident prevention through restructuring and structural amendment of working environments thanks to important, high-quality programmes

Economic sector(s) concerned: Mining — Quarrying of ornamental stone (ISTAT codes 1991: 14.11.1)

Name and address of the granting authority:

Ministero delle attività produttive
Direzione generale per il coordinamento degli incentivi alle imprese
Via del Giorgione 2B
I-00147 Roma

Aid No: XS/16/01

Member State: Spain

Region: Community of Madrid

Title of aid scheme or name of the company receiving an individual aid: SME consolidation and competitiveness plan in the Community of Madrid

Legal basis: Orden n° 4836/2001, de 21 de junio, de la Consejería de Economía y Empleo, por lo que se establece el régimen de ayudas y el sistema de gestión del plan de consolidación y competitividad de la pequeña y mediana empresa (PYME) en la Comunidad de Madrid (*Boletín Oficial de la Comunidad de Madrid* n° 150 del 26 de junio de 2001).

Observations: This Order of the Community of Madrid Administration for Economic Affairs and Employment was adopted on the basis of Royal Decree No 582/2001 of 1 June 2001 of the Ministry of Economic Affairs State Secretariat for Economic Affairs, Energy and Small and Medium-sized Enterprises (State aid N 750/2000) after approval by the Autonomous Community Conference for SMEs at its meeting of 26 October 2000 under the conditions laid down in Article ('Autonomous community conferences and other organs for cooperation between the various public administrations') of Law No 30/1992 of 26 November on the legal system for public administrations and the common administrative procedure, as amended by Law No 4/1999

Annual expenditure planned under the scheme or overall amount of individual aid granted to the company: On the basis of the decisions taken at previous annual Autonomous Community Conferences for SMEs, the budget allocation for the Community of Madrid has been set at EUR 2,17 million for 2001. It is not possible to make an estimate for the subsequent years of the programme since the amount is set at the annual Conference.

However, authorisation N 750/2000 sets an annual budget of EUR 36,06 million for the whole of Spain and the part of the co-financing relating to the Community of Madrid always represents a very small part of this: it can therefore be surmised that this amount cannot in any case be very much higher than that approved for 2001.

In any event, this expenditure, which is borne by the Community of Madrid, is conditional upon the necessary appropriations being entered in the budget, which is set annually by the General Finance Law of the Community of Madrid

Maximum aid intensity:

1. If the applicant and the direct beneficiary of the aid is an SME:
 - up to 15 % for small enterprises and up to 7,5 % for medium-sized enterprises, for investment in tangible and intangible fixed assets, up to a maximum ceiling of EUR 10 000,
 - up to 50 % for expenditure on outside consultants.
2. If the beneficiary is an intermediary body, and in so far as the aid granted is passed on the enterprises, the intensities mentioned above for SMEs remain applicable.

Observations: In accordance with the State aid authorisation N 750/2000 and Royal Decree No 582/2001 of the Ministry of Economic Affairs, 'intermediary body' is defined in Article 2 of Order No 4836/2001 of 21 June 2001, which is the subject of this communication, in the following terms: 'any public, semi-public or private body which habitually provides support services to SMEs or any entity in which the public authorities have a majority holding and which habitually provides support services to SMEs, provided that the projects supported are in conformity with the measures laid down in this plan without seeking to make profits'

Date of implementation: With effect from the publication of the aid scheme in the Official Gazette of the Community of Madrid

Duration of scheme or individual aid award: 2001-2006; 31 December 2006 is the last date on which aid can be granted

Objective of aid: The purpose of the SME consolidation and competitiveness plan, adopted at the Autonomous Community Conference for SMEs on 26 October 2000 and authorised by the Commission in its communication of 11 April 2001 (State aid N 750/2000), is to provide a framework for the distribution of budget appropriations to enterprises while respecting the principles of integrating action and cooperation between the public administrations involved and of effectiveness of expenditure.

The Community of Madrid, like other autonomous communities, is involved in the management of the plans within its territorial competence and helps to finance them. The basic features of its action, laid down by Royal Decree No 582/2001 of the Ministry of Economic Affairs and included in Order No 4836/2001 of 21 June governing this aid as regards the Community of Madrid, are the following:

- the full integration of SMEs in the information society,
- the incorporation of innovative business techniques.

Experience of earlier aid programmes involving both central government and autonomous community administrations has demonstrated the multiplier effect of aid granted through intermediary bodies; the SME consolidation and competitiveness plan therefore makes these bodies responsible for managing projects with SMEs in different sectors. However, some of the plan's measures also envisage that this should also involve the participation of SMEs as direct beneficiaries (incorporation of innovative business techniques, of the design aid type, quality systems, creation of inter-company cooperation networks, etc.)

Economic sector(s) concerned: It is indicated in the legal basis that the economic sectors concerned are the following:

'SMEs in the sectors of industry, construction, distribution and services, and intermediary bodies specialising in support for SMEs, without prejudice to the provisions of Community Regulations or Directives adopted on the basis of the Treaties establishing the European Community and applicable to the granting of State aid in specific sectors such as steel, shipbuilding, synthetic fibres, motor vehicles and transport.

This order does not apply to:

- activities linked to the production, processing or marketing of products listed in Annex I to the Treaties establishing the European Communities and to the coal and fisheries sectors,
- aid to export-related activities, namely aid directly linked to the quantities exported, to the establishment and operation of a distribution network or to other current expenditure linked to the export activity'

Name and address of the granting authority:

Instituto Madrileño de Desarrollo (IMADE)
 (Consejería de Economía y Empleo — Comunidad de Madrid)
 José Abascal, 57
 E-28003 Madrid
 Tel. (34) 915 80 26 00
 Fax (34) 915 80 97 43

Aid No: XS/56/01

Member State: United Kingdom

Region: Scotland (other than the Highlands and Islands of Scotland)

Title of aid scheme or name of the company receiving an individual aid: Property support for SMEs

Legal basis: Enterprise and New Towns (Scotland) Act 1990, as amended 1 April 2001, by Scottish Statutory Instrument 2001 No 126

Annual expenditure planned under the scheme or overall amount of individual aid granted to the company: All costs arising from the scheme, including the costs of any called guarantees, will be met from within the normal resources of Scottish Enterprise. It is estimated the annual expenditure of approximately GBP 5 million will be required

Maximum aid intensity: Each award will respect the relevant aid intensity ceilings stipulated in Commission Regulation (EC) No 70/2001 on investment aid (Article 4).

The amount of aid that can be awarded is variable, depending upon an appraisal of the particular proposal which will assess the need for the aid and the form in which it may most appropriately be provided. Aid will be the minimum necessary for a project to proceed.

The aid will be limited to eligible expenditure directly and exclusively related to investment in the development of business premises including:

Land. The actual purchase price or market value, whichever is lower.

Construction. Construction costs of buildings suitable for occupation by a range of businesses.

Infrastructure and services. The actual costs of providing infrastructure and related services specific to the property.

Development fee. A level of fee to the developer which is appropriate to the type and scale of development and the risks associated with development. (Development fee is excluded where the developer is the owner or occupier of the premises or land).

Finance charges. Interest or similar financing charges directly and exclusively related to the project.

Professional fees, etc. All other costs, including design fees, marketing and promotional expenses, and sale or letting fees actually incurred in the course of the development, directly and exclusively related in the project.

Aid will be calculated as a percentage of eligible expenditure. The aid intensities will not exceed the following limits.

Qualifying criteria for beneficiary	Maximum aid level
In 87(3)(c) areas not qualifying under sparsity of population, qualifying for 20 % under UK assisted area definition	20 % nge + 10 % gross
In 87(3)(c) areas limited to 15 % maximum nge under UK assisted area definition	15 % nge + 10 % gross
In 87(3)(c) areas limited to 10 % maximum nge under UK assisted area definition	10 % nge + 10 % gross
In non-assisted areas for small enterprises (1 to 49 jobs)	15 % gross
Medium-sized enterprises in non-assisted areas (50 to 250 jobs)	7,5 % gross

Aid for a particular project may take any form permitted under EC guidelines including grants, low-interest loans or interest rebates, guarantees, equity in joint development projects and services at concessionary prices. Where aid is given in a form other than grants, the grant-equivalent of the aid will be calculated in accordance with the relevant EC guidelines and notices.

Development grant: The main type of aid to be provided by the scheme is the development grant, which is a 'gap funding' grant aimed at bridging the difference between the market value and the actual cost of a project. Subject always to any award not exceeding the relevant aid intensity ceiling, the maximum amount of award for any project will be the gap between eligible costs and market value. Aid will be the minimum necessary for a project to proceed.

Prior to any offer of development grant, an appraisal of market value and estimated costs will be made on behalf of Scottish Enterprise by an independent chartered surveyor. Grants will generally be made on the condition that all construction works must be competitively tendered, where applicable in accordance with the EC public procurement regulations. Where competitive tender is not possible or practicable⁽¹⁾, independent chartered surveyors will verify that the costs do not exceed market levels.

⁽¹⁾ Wholly competitive procurement may not be practicable when companies have long-established working relationships with building contractors, professional advisers and suppliers. These companies may be willing to proceed with an investment only if they are able to work through their established relationships. Within the constraints of such relationship, much of the cost remains subject to competitive procurement in the selection of subcontract arrangements. Independent experts verify the market value of the remaining costs. The Commission decision of 25 October 2000 on State aid No 656/99, the WDA Partnership Development scheme, accepts that under such circumstances wholly competitive procurement may not be possible.

Joint ventures: Aid may also be given in respect of joint venture projects carried out between Scottish Enterprise and the private sector. Generally, SE will seek to act purely as a market investor sharing risks and rewards with the private partner on a commercial basis as verified by an independent chartered surveyor or accountant. No aid is involved in these circumstances. However, there may be cases where, in order to secure private sector participation, SE accepts a share of the project returns which is lower than a market investor would accept. In such cases the grant-equivalent of the aid will be calculated in accordance with appropriate procedures and verified by an independent chartered surveyor or accountant. The amount of the aid should be the minimum necessary to ensure private sector participation and must not exceed aid intensity ceilings.

The private sector partner must be selected through a competitive process, unless the developer also owns or legally controls the site, in which case the amount of support necessary to enable the project to proceed must be verified by an independent chartered surveyor or accountant.

Development financing aid: Grant or loan support towards the cost of financing developments, which would not otherwise be economically viable. The aid is available for the lifetime of the project and can relate only to financing eligible investment costs. The grant or loan must exceed aid intensity ceilings

Date of implementation: 15 August 2001

Duration of scheme or individual aid award: Until 31 December 2006

Objective of aid: Scottish Enterprise has a number of statutory functions including furthering the development of Scotland's economy. The purpose of the property support for SMEs scheme is to stimulate private sector property development and investment by SMEs, in furtherance of these functions. The scheme operates to address market failure in the provision of industrial and commercial property in supporting SME developers through a range of aid instruments. Both speculative and bespoke development may be assisted. Over the longer term, the aim is to promote a self-sustaining property market throughout Scotland.

Applicants assisted under the scheme will comply with the definitions of SMEs contained in Annex I to Regulation (EC) No 70/2001. SMEs are defined as enterprises which:

- have fewer than 250 employees, and
- have either an annual turnover not exceeding EUR 40 million, or an annual balance-sheet total not exceeding EUR 27 million,
- conform to the criterion of independence defined in Annex 1.

Where it is necessary to distinguish between small and medium enterprises, the 'small enterprise' will comply with the definition contained in Annex 1

Economic sector(s) concerned: The scheme is primarily aimed at the property sector, in particular SME developers of 'speculative' property where the occupier of the property is not known in advance of the development being carried out. In addition, 'bespoke' development by SME companies for their own occupation may also be aided.

Assistance will be provided to the following sectors only to the extent that there is no conflict with relevant sectoral guidelines:

- motor vehicles,
- synthetic fibres,
- transport.

Assistance will not be granted to the following sectors under this scheme:

- agriculture,
- fisheries and aquaculture,
- shipbuilding,
- coal and steel

Name and address of the granting authority:

Scottish Enterprise
120 Bothwell Street
Glasgow G2 7JP
United Kingdom

Other information: This scheme is in accordance with Commission Regulation (EC) No 70/2001 of 12 January 2001 on the application of Articles 87 and 88 of the EC Treaty to State aid to small and medium-sized enterprises, published in the *Official Journal of the European Communities* on 13 January 2001.

The following general conditions must be satisfied:

1. The project must address an identifiable case of market failure by meeting an unmet demand which, if met, will provide net economic benefits to Scotland.
2. The project should be undertaken at the minimum cost necessary for it to proceed, or should otherwise demonstrate value for money to Scottish Enterprise.

3. The project must be one that would not have gone ahead without Scottish Enterprise assistance, or would have gone ahead only on a significantly longer timescale, on a smaller scale, or have been of lower quality.
4. Assistance should be structured in such a way as to promote market adjustment.
5. The developer must be solvent and capable of funding its share of the cost.
6. Projects that have commenced before an application is submitted will not be eligible for support.
7. All development expenditures for a project are required to be competitively tendered wherever possible. Where costs have not been exposed to competition, there is a requirement for independent chartered surveyors to verify that costs do not exceed market levels.
8. Disposal of developments, whether by sale or lease, must be carried out on an arm's length basis at market value.
9. The scheme excludes the use of grant to support the acquisition of plant and machinery specifically needed by an occupier to carry out their business. Facilities that are standard features of a building, suitable for a range of potential occupiers, such as lifts, heating and lighting systems, etc., are permitted.
10. Offers of grant will generally include 'clawback' provisions requiring grants to be repaid in whole or part in certain circumstances:
 - 10.1. In the event of a breach of the conditions of an award, SE will have the right to seek repayment in full.
 - 10.2. The award will be conditional upon the initial investment being maintained for a minimum period of five years.
 - 10.3. An enforceable contractual obligation will be required and, where practicable, tangible security will be sought.
11. Profit participation may be sought where any profit is realised by the project above agreed levels

Aid No: XS/70/01

Member State: Italy

Region: Tuscany

Title of aid scheme or name of the company receiving an individual aid: Investment aid for small craft production firms and production and workers' cooperatives

Legal basis: Delibera Consiglio regionale n. 283 del 28 dicembre 2000 «Piano regionale dello sviluppo economico 2001-2005», ai sensi della L.R. 20 marzo 2000, n. 35 «Disciplina degli interventi regionali in materia di attività produttive» — Misura 1.2.

Decisione Giunta regionale n. 13 dell'11 luglio 2001 «Reg. 1260/99 — Docup Ob. 2 anni 2000-2006 — Direttive per l'attuazione dei regimi di aiuto»

Annual expenditure planned under the scheme or overall amount of individual aid granted to the company: EUR 16 000 000

Maximum aid intensity: The intensity of aid received by an individual firm must not exceed 15 % of total investment costs.

If the regions concerned by the programme are eligible for exemption under Article 87(3)(c) of the Treaty, the aid may be increased within the limits provided for in the Commission Decision.

Aid granted may not be combined with aid under other schemes for the same investment costs

Date of implementation: July 2001, date on which the Commission received the notification

Duration of scheme or individual aid award: 2001-2006

Objective of aid: System of repayable aid for small firms.

Granting of subsidies loans for tangible and intangible investments aimed at the following:

1. Establishment of new firms, especially by women and young people, operating in innovative areas.
2. Expansion and upgrading of activities to encourage positioning of firms in market segments featuring a more substantial proportion of innovative products that could be classed as sustainable.
3. Reducing the environmental impact of production and reducing the consumption of energy and resources.

4. Increased health and safety at the workplace, along the lines of Law No 626/1994 and the Seveso Directive.

Particular attention will be given to sectors involved in restructuring, rationalisation, modernisation or conversion

Economic sector(s) concerned:

ISTAT Codes 1991:

- Section C — Mining,
- Section D — Manufacturing,
- Section F — Construction,
- Section K — Realty, rentals, information technology, research, other professional activities (Divisions 72 and 74 only).

The following sectors are excluded from the concessions: transport, iron and steel, shipbuilding, the manufacture of synthetic fibres, the automobile industry, coal and the production, processing and marketing of agricultural products

Name and address of the granting authority:

Regione Toscana
Via di Novoli 26
I-50127 Firenze

Aid No: XS/75/01

Member State: Italy

Region: Tuscany

Title of aid scheme or name of the company receiving an individual aid: Aid for the purchase of consultancy services

Legal basis: Delibera Consiglio regionale n. 283 del 28 dicembre 2000 «Piano regionale dello sviluppo economico 2001-2005», ai sensi della L.R. 20 marzo 2000, n. 35 «Disciplina degli interventi regionali in materia di attività produttive» — Misura 1.6.1. e 1.6.6.

Decisione Giunta regionale n. 13 dell'11 luglio 2001 «Reg. 1260/99 — Docup Ob. 2 anni 2000-2006 — Direttive per l'attuazione dei regimi di aiuto»

Annual expenditure planned under the scheme or overall amount of individual aid granted to the company:
EUR 2 500 000

Maximum aid intensity: 50 % of the costs incurred in purchasing the services of external consultants

Date of implementation: July 2001, date on which the Commission received the notification

Duration of scheme or individual aid award: 2001-2006

Objective of aid:

External consultancy services which are not continuous or periodic or related to the enterprise's usual operating expenditure.

In the case of participation in trade fairs and exhibitions, the amount of aid is measured against the additional costs incurred in renting, setting up and running a stand. Aid may also be granted for participation in years following the first notified year of participation.

Aid granted may not be combined with aid under other schemes for the same investment costs

Economic sector(s) concerned:

Firms and consortia in the following sectors (ISTAT codes 1991):

- Section C — Mining,
- Section D — Manufacturing,
- Section F — Construction,
- Section G — Wholesale and retail trade,
- Section H — Hotels and restaurants,
- Section K — Realty, rentals, information technology, research, other professional activities (Divisions 72 and 74 only),
- The ISTAT codes for tourism in applicatin of Law No 488/92 in Tuscany pursuant to Regional Executive Division (GR) No 349 of 2 April 2001 (Annex A).

The following sectors are excluded from the concessions: transport, iron and steel, shipbuilding, the manufacture of synthetic fibres, the automobile industry, coal and the production, processing and marketing of agricultural products

Name and address of the granting authority:

Regione Toscana
Via di Novoli 26
I-50127 Firenze

Aid No: XS/77/01

Member State: Italy

Region: Tuscany

Title of aid scheme or name of the company receiving an individual aid: Investment aid to tourism enterprises

Legal basis: Delibera Consiglio regionale n. 283 del 28 dicembre 2000 «Piano regionale dello sviluppo economico 2001-2005», ai sensi della L.R. 20 marzo 2000, n. 35 «Disciplina degli interventi regionali in materia di attività produttive» — Misura 1.3.1.

Decisione Giunta regionale n. 13 dell'11 luglio 2001 «Reg. 1260/99 — Docup Ob. 2 anni 2000-2006 — Direttive per l'attuazione dei regimi di aiuto»

Annual expenditure planned under the scheme or overall amount of individual aid granted to the company:
EUR 10 000 000

Maximum aid intensity: The intensity of the aid to each firm may not exceed 15 % gross grant equivalent for small firms and 7,5 % gge for medium-sized firms of total investment costs. If the regions concerned by the programme are eligible for exemption under Article 87(3)(c) of the Treaty, the aid may be increased within the limits provided for in the Commission Decision.

Aid granted may not be combined with aid under other schemes for the same investment costs

Date of implementation: July 2001, date on which the Commission received the notification

Duration of scheme or individual aid award: 2001-2006

Objective of aid: Granting of subsidised loans for tangible and intangible investments aimed at improving the quality of tourist amenities through the consolidation and development of tourism firms

Economic sector(s) concerned: Tourism

Name and address of the granting authority:

Regione Toscana
Via di Novoli 26
I-50127 Firenze

Aid No: XS/78/01

Member State: Italy

Region: Tuscany

Title of aid scheme or name of the company receiving an individual aid: Qualification of commercial services

Legal basis: Delibera Consiglio regionale n. 283 del 28 dicembre 2000 «Piano regionale dello sviluppo economico 2001-2005», ai sensi della L.R. 20 marzo 2000, n. 35 «Disciplina degli interventi regionali in materia di attività produttive» — Misura 1.4.

Decisione Giunta regionale n. 13 dell'11 luglio 2001 «Reg. 1260/99 — Docup Ob. 2 anni 2000-2006 — Direttive per l'attuazione dei regimi di aiuto»

Annual expenditure planned under the scheme or overall amount of individual aid granted to the company:
EUR 4 500 000

Maximum aid intensity: The intensity of the aid to each firm may not exceed 15 % gross grant equivalent for small firms and 7,5 % gge of total investment costs for medium-sized firms.

If the regions concerned by the programme are eligible for exemption under Article 87(3)(c) of the Treaty, the aid may be increased within the limits provided for in the Commission Decision.

Aid granted may not be combined with aid under other schemes for the same investment costs

Date of implementation: July 2001, date on which the Commission received the notification

Duration of scheme or individual aid award: 2001-2006

Objective of aid: Aid to small and medium-sized enterprises and public commercial concerns for tangible and intangible investments to modernise and upgrade skills in the distribution network

Economic sector(s) concerned: Retail sector

Name and address of the granting authority:

Regione Toscana
Via di Novoli 26
I-50127 Firenze

Information communicated by Member States regarding State aid granted under Commission Regulation (EC) No 68/2001 of 12 January 2001 on the application of Articles 87 and 88 of the EC Treaty to training aid

(2002/C 133/12)

(Text with EEA relevance)

Aid No: XT/33/2001

Member State: Germany

Region: Saxony

Title of aid scheme or name of the company receiving an individual aid: Full title: Scheme of assistance towards in-service training for employees and business people especially from small and medium-sized enterprises, including middle and higher management levels and company founders, funded by the European Social Fund and by Saxony under the operational programme for Structural Fund aid in Saxony 2000-2006

Short title: Saxon in-service training aid scheme

Legal basis: Sächsische Haushaltsordnung, §§ 23 und 44 (Neufassung vom 10. April 2001 im Sächsischen Gesetz- und Verordnungsblatt Nr. 5/2001 vom 18. Mai 2001, <http://www.recht-sachsen.de/Gbl1.htm>)

Richtlinie des Sächsischen Staatsministeriums für Wirtschaft und Arbeit für die Förderung von aus dem Europäischen Sozialfonds mitfinanzierten Maßnahmen/Teil A (Veröffentlichung im Sächsischen Amtsblatt am 2.8.2001 — Anlage 1)

Annual expenditure planned under the scheme or overall amount of individual aid granted to the company: In-service training measures for about 7 000 participants, costing some DEM 33 million a year

Maximum aid intensity:

- Specific training, up to 45 % of the eligible costs,
- general training, up to 80 % of the eligible costs.

In accordance with the rules of the ESF, participants from large enterprises are admissible only on certain conditions; the aid intensity is calculated separately in respect of such participants, and the following ceilings apply:

- specific training, up to 35 % of the eligible costs,
- general training, up to 60 % of the eligible costs.

The ceilings are increased by 10 % if the training is designed specifically for disadvantaged workers as defined in Article 2(g) of the Commission Regulation

Date of implementation: 1 August 2001

Duration of scheme or individual aid award: Projects are to be approved and to begin by 31 December 2006; depending on the duration of the project, payments can be made up to 31 December 2008, the date at which spending by training providers is to end under the Commission Decision on the operational programme for Saxony 2000-2006 (12 December 2000)

Objective of aid: These are in-service training measures for employees and business people, especially from small and medium-sized enterprises, and company founders, under the operational programme for Saxony 2000-2006, which has been approved by the European Commission. Training will usually be given by training providers to participants coming from several firms at a time.

The decision whether the training to be given is general or specific will be taken by the approving authority, on the basis of the project descriptions presented, which may be very varied.

In the case of general training measures, the content of the project will have to be spelt out in the project description or in the course of the application procedure; the necessary separation between specific and general training measures will be made by means of a vetting system.

The category of a training measure will be decided when the application is being considered, on the basis of the information in the application, by assessing a number of distinguishing features set out in a checklist (Annex 2). The final list of participants must be submitted before the first payment is made; that list will be examined to see that it corresponds to the information in the application. Any adjustments to the aid intensity will be made administratively

Economic sector(s) concerned: All economic sectors

Name and address of the granting authority:

Regierungspräsidium Dresden
Referat 35
Stauffenbergallee 2
D-01099 Dresden

Regierungspräsidium Leipzig
Referat 35
Braustraße 7
D-04107 Leipzig

Regierungspräsidium Chemnitz
Referat 35
Altchemnitzer Straße 41
D-09120 Dresden

Sächsisches Staatsministerium für Wirtschaft und Arbeit
Abteilung 5
Wilhelm-Buck-Straße 2
D-01097 Dresden

Other information: The aim of ESF aid in Saxony is to promote active and preventive measures to improve the potential of the labour force. The in-service training measures for employees and business people especially from SMEs, including middle and higher management levels and company founders, are intended to improve the participants' ability to adapt to economic needs, in line with the objectives of the operational programme for Saxony 2000-2006.

All ESF in-service training is to be given by training providers. These providers will receive assistance related to each project. No profit may be made. The measures are to benefit the participants only.

The availability of assistance is to be brought to the attention of training providers in the daily press, in official gazettes, in the publications of the Ministry of Economic Affairs and Employment of Saxony, including the periodical ESF & Co., at information events, and through private consultancy offices that work for the public authorities.

The scheme is open to any training provider. Selection will be on the basis of the quality of the training projects submitted, and will be carried out by the authorities responsible for the subject area and for approving the aid
