

## **The English Business Support State Aid Scheme**

### **1. Member State**

United Kingdom

### **2. Regions**

East Midlands;  
Eastern;  
London;  
North East;  
North West;  
South East;  
South West;  
West Midlands; and  
Yorkshire and the Humber

### **3. Title of aid Scheme**

The English Business Support State Aid Scheme

### **4. Government or statutory bodies authorised to implement the Scheme**

The implementing body is the Department of Communities and Local Government.

The implementing body has a range of statutory functions which include funding projects in England which encourage businesses to grow and improve their competitive offering in the market.

### **5. Legal Authority**

The implementing body is authorised to award aid under domestic law. The legal authority for the implementing bodies to award aid is contained within:

- The European Communities Act 1972;
- The Local Government, Planning and Land Act 1980;
- The Leasehold Reform, Housing and Urban Development Act 1993;
- The Local Government Act 2000;
- The Public Contracts Regulations SI 2006 No 5;
- The Local Government Act 2007;
- The Housing and Regeneration Act 2008; and
- The European Communities (Finance) Act 2008.

### **6. Duration**

The English Business Support State Aid Scheme allows the implementing body to award aid in England from 1 July 2011 until the end date set out in the General Block Exemption

Regulation ([Commission Regulation No 800/2008](#)) of 6 August 2008, as may be amended and prolonged from time to time by the European Commission (“GBER”).

## 7. **Basis of Scheme**

The English Business Support State Aid Scheme is exempted from the notification requirements of Article 108(3) of the TFEU as aid is awarded in accordance with the General Block Exemption Regulation ([Commission Regulation No 800/2008](#)) of 6 August 2008 (“GBER”).

The scheme utilises the following instruments of GBER:

Article 14	Aid for newly created small enterprises;
Article 16	Aid for small enterprises newly created by female entrepreneurs;
Article 26	Aid for consultancy in favour of SMEs;
Article 27	Aid for SME participation in fairs;
Article 39	Training Aid;
Article 40	Aid for disadvantaged and disabled workers;
Article 41	Aid for the employment of disabled workers in the form of wage subsidies; and
Article 42	Aid for compensating the additional costs of employing disabled workers.

## 8. **Aid Intensity**

The English Business Support State Aid Scheme allows the implementing body to award aid up to the maximum aid intensity allowable under Articles 14, 16, 26, 27, 39, 40, 41 and 42 of GBER, subject to the implementing body satisfying all the relevant provisions of GBER and the applicable terms of the scheme.

The maximum investment intensities are set out in the table below.

[Commission Recommendation C20031422/361/EC](#) (Official Journal L124, 20.5.2003) provides guidance on identifying the appropriate size of enterprise.

Aid Measure	Maximum % aid intensity levels for:			Notification thresholds (€)
	Large Enterprises	Medium Enterprises	Small Enterprises	

Aid Measure	Maximum % aid intensity levels for:			Notification thresholds (€)
	Large Enterprises	Medium Enterprises	Small Enterprises	
<b>AID FOR RESEARCH AND DEVELOPMENT AND INNOVATION: GBER SECTION 7</b>				
<b><u>Article 14</u></b> <b>Newly created Small Enterprises in Assisted Areas</b>	Not applicable	Not applicable	25% during the first 3 years after the creation of the enterprise.  15% for following 2 years.	1m (subject to annual amount of aid per year not exceeding 33% of capital)
<b><u>Article 16</u></b> <b>Aid for Small Enterprises newly created by female entrepreneurs</b>	Not applicable	Not applicable	15%	1m (subject to annual amount of aid per year not exceeding 33% of capital)
<b><u>Article 26</u></b> <b>Aid for consultancy in favour of SMEs</b>	Not applicable	50% of the eligible costs	50% of the eligible costs	2m
<b><u>Article 27</u></b> <b>Aid for SME participation in business fairs</b>	Not applicable	50% of the eligible costs	50% of the eligible costs	2m per fair
<b><u>Article 39</u></b> <b>Training Aid</b>	Specific Training: 25%  General Training: 60%	Specific Training: 35%  General Training: 70%	Specific Training: 45%  General Training: 80%	2m
<b><u>Article 40</u></b> <b>Aid for disadvantaged and disabled workers</b>	50% of the eligible costs	50% of the eligible costs	50% of the eligible costs	5m (not on a per project basis)
<b><u>Article 41</u></b> <b>Aid for the employment of disabled workers in the form of wage subsidies</b>	100%	100%	100%	Time limited  10m

Where the total funding from all public sources will exceed the above thresholds, no aid may be granted or otherwise committed until approval has been obtained from the European Commission.

For administration purposes, aid will be awarded under sub-schemes which align with the relevant measures of Sections 1, 3, 5, 8 and 9 of GBER. These schemes can be found at Appendix A. The implementing body should inform the aid recipient of the relevant sub-scheme.

## **9. Scheme Objectives**

The object of the English Business Support State Aid Scheme is to provide State Aid cover for awards of aid that incentivise business to engage in activities related to Business Support.

Any award made under the English Business Support State Aid Scheme will be made at the discretion of the implementing body, taking into account considerations such as whether the award of aid will help incentivise business to engage in activities which shall help it improve its competitive offering and whether State Aid is the appropriate instrument to achieve the objective.

## **10. Forms of aid**

Aid for projects funded under this scheme may take the form of grants only.

Each project under this scheme shall comply fully with the relevant identified sub-schemes.

## **11. Procurement of suppliers**

Aid provided under the English Business Support State Aid Scheme shall only usually be made available on the condition that the recipient agrees to select all goods and services funded under the scheme through an open and competitive tender process consistent with the Public Contracts Regulations 2006 (as amended). Where, for whatever reason, an open and competitive tender is not adopted, the recipient is required to keep records to demonstrate that the costs for each item or service are equal or lower than that which would have been established had the goods or services been selected through an open and competitive tender process. The implementing body reserves the right to require the recipient to instruct an independent expert, at the recipient's cost, to verify whether the costs are equal or below that which would have been established through an open and competitive tender process.

## **12. Incentive Effect**

The implementing body will take all necessary steps to ensure the Incentive Effect requirements in Article 8 of GBER are satisfied before aid is awarded.

In accordance with European Commission notice "Incentive effect in relation to large enterprises" Comp/H4/CS/dg-D\*2011/097439, dated 20 September 2011, to ensure compliance with Article 8 (3) of GBER, all projects using this scheme involving large enterprises will:

- Produce an internal document analysing the viability of the aided project activity with the proposed aid and without the proposed aid;

- Ensure the document contains credible analysis and demonstrates the incentive effect; and
- Shall submit that document to the implementing body, prior to the aid being legally committed.

### **13. Excluded aid**

The English Business Support State Aid Scheme allows aid to all sectors other than those listed below:

- Fisheries and aquaculture;
- Shipbuilding;
- Coal industry;
- Steel industry;
- Synthetic fibres; and
- Primary production of agricultural products (listed in Annex 1 of the Treaty; cork products under CN codes 4502, 4503, 4504; products used to substitute for milk/milk products).

This scheme shall not allow aid:

- which constitutes export aid or favours domestic over imported products;
- that has the objective of the establishing and /or financing of distribution networks in other countries;
- where implementing body has reasonable grounds to believe the recipient of funds will be within the definition of undertaking in difficulty (as set out in 2.1 of the Community Guidelines on State Aid for Rescuing and Restructuring Firms in Difficulty (2004/C244/02)<sup>1</sup>; and
- where the recipient of the aid is the subject of an outstanding recovery order relating to a previous European Commission decision in which aid has been declared illegal and / or incompatible with the Common Market.

### **14. Cumulation**

The aid exempted in this Scheme may be cumulated with any other aid under the GBER as long as those aid measures are for different identifiable, eligible costs.

However aid under the English Business Support State Aid Scheme may not be cumulated with any other aid exemption (for example another measure under GBER or the De Minimis Regulations 1998/2006) where the funding covers the same eligible costs and the effect is to exceed the applicable maximum aid intensity or aid amount applicable.

The implementing body shall take steps to ensure the changes to the thresholds applied by GBER article 7 (5) (a) and (b) are applied where a recipient has previously benefitted from support under the GBER.

### **15. Notice of Scheme**

Where aid is provided under the English Business Support State Aid Scheme, the implementing body shall inform the recipient in writing of the name of the scheme and that it is notified under GBER. Best practice is to also notify the recipient of the relevant sub-scheme (as set out in Appendix A).

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<sup>1</sup> other than SMEs that have been incorporated for less than 3 years unless they are insolvent under UK legislation

## **16. Administration**

The European Commission requires information on the use of all GBER schemes. Therefore whenever an implementing body project makes use of the English Business Support State Aid Scheme, they shall:

- write to the State Aid Policy Network at the Department of Communities and Local Government to inform it that they are using the scheme and shall provide the required reporting information upon reasonable notice; and
- agree to collect information to meet the requirements of Articles 10 and 11 of GBER.

The requirements of Articles 10 and 11 of GBER, include records of the:

- Scheme title;
- Commission block exemption reference number;
- the decision date;
- the name and address of recipients;
- the amount of aid and evidence of gap calculations;
- the date and amount of aid payments;
- information on the form of each tranche of aid;
- the status of any undertaking where the level of aid is dependent on its status as an SME; and
- evidence that the incentive effect has been met for each award of aid.

Failure to provide information may mean that the aid is invalid. The implementing body requires that beneficiaries take reasonable steps to ensure records are retained for at least 10 years from the date of the last payment.

In the event that any part of this scheme is inconsistent with GBER, the provisions of GBER shall take priority.

## **17. Clawback**

Any recipient of aid under this scheme may be required to pay back the award with interest in the event of a breach of State Aid law, including but not limited to a failure to follow the requirements of GBER.

## **18. Budget**

The maximum sum allowable in each calendar year under the English Business Support State Aid Scheme shall be £350m per sub-scheme. This sum is provided for State Aid purposes only and does not reflect a committed government budget.

## **19. Sources of Funding**

The awards of aid provided under each sub-scheme may come from structured funds or otherwise.

## **20. Contact Details**

Questions about this scheme should be directed to The State Aid Policy Network, c/o ERDF Programmes Team, The Department for Communities and Local Government, Eland House, Bressenden Place, London, SW1E 5DU.

## **Appendix 1**

### **The Sub-Schemes**

Sub-scheme 1	Article 14	Aid for newly created small enterprises;
Sub-scheme 2	Article 16	Aid for small enterprises newly created by female entrepreneurs;
Sub-scheme 3	Article 26	Aid for consultancy in favour of SMEs;
Sub-scheme 4	Article 27	Aid for SME participation in fairs;
Sub-scheme 5	Article 39	Training Aid;
Sub-scheme 6	Article 40	Aid for disadvantaged and disabled workers;
Sub-scheme 7	Article 41	Aid for the employment of disabled workers in the form of wage subsidies; and
Sub-scheme 8	Article 42	Aid for compensating the additional costs of employing disabled workers.

## **Sub-Scheme 1: 'Aid for Newly Created Small Enterprises'**

### **Article 14 – Aid for newly created small enterprises.**

#### **Availability of Aid**

Aid is given entirely at the discretion of the respective implementing body. The levels of assistance listed, represent the maximum values and percentages legally possible. The publication of this scheme does not indicate current availability of aid of this type.

Grant funding for individual projects is awarded in accordance with the implementing body's project appraisal and investment decision making process, as well as available budgets. Publication of this scheme can not be considered to constitute any expectation of assistance.

#### **Purpose of the Scheme**

The purpose of the Scheme is to promote the growth of small enterprises by providing targeted support. :

The scheme utilises to the provisions of GBER Section 1, Article 14 allowing up to the relevant maximum threshold.

#### **Excluded Enterprises**

Small enterprises controlled by shareholders of enterprises that have closed down in the previous 12 months, are excluded from this measure, if the enterprises concerned are active in the same relevant market or adjacent markets.

#### **Eligible Costs**

- Legal, advisory, consultancy and administrative costs directly related to the creation of the small enterprise;
- Interest on external finance and a dividend on own capital employed within the Commission official reference rate;
- Fees for renting production facilities / equipment;
- Energy, water, heating;
- Taxes (other than VAT and corporation taxes on business income);
- administrative charges;
- Depreciation and fees for leasing production facilities / equipment; and
- Wage costs including compulsory social security contributions such as Employer's NI, SSP and SMP, provided that the underlying investments or job creation and recruitment measures have not benefited from other aid.

#### **Aid Intensity and Conditions**

The measure enables public support from the implementing body for up to 25% of eligible costs incurred in the first three years after the creation of the enterprise, and 15% in the two years thereafter.



The maximum level of aid per small enterprise will be:

- €2m for small enterprises with their economic activity in Article 107 (3) (a) assisted areas; and
- €1m for small enterprises with their economic activity in Article 107 (3) (c) assisted areas.

The annual amount of aid provided under this sub-scheme shall comply with the requirements of Article 14 (3) of GBER by not exceeding 33% of the maximum threshold set out above.

Where assistance under this scheme is combined with other public support, the combination must not breach the relevant intervention rates. If an enterprise has received capital under a state aid risk capital measure, for the 3 years following this investment, the maximum intervention rates will be reduced by 50% in non assisted areas and 20% in assisted areas.

## **Sub-Scheme 2: “Aid for Female Entrepreneurship”**

### **Article 16 - Aid for Female Entrepreneurship**

#### **Availability of aid**

Aid is given entirely at the discretion of the respective implementing body. The levels of assistance listed, represent the maximum values and percentages legally possible. The publication of this scheme does not indicate current availability of aid of this type.

#### **Purpose of the Scheme**

The purposes of the scheme are to address the imbalance of female entrepreneurs in the economy but targeted State Aid to:

- promote the entrepreneurship of the region by supporting newly created SMEs
- improve the sustainability of SME start ups
- develop and the SME base of the assisted areas

The scheme recognises, that enterprises in their first few years of existence face particular challenges, not present in established firms. Female Entrepreneurs are considered to have additional specific challenges due to their additional family care responsibilities.

The scheme relates to the provisions of GBER Section 3, Article 16

#### **Eligible Beneficiaries**

The measure applies to undertakings which have been in existence for fewer than 5 calendar years that are within the definition of small enterprises in the Commission Recommendation C20031422/361/ec on the definition of small and medium size enterprises.

To be considered an enterprise created by female entrepreneurs, one or more women must own at least 51% of the capital or are the registered owners of the small enterprise and a woman is in charge of the management of the small enterprise. Where the enterprise is within a group, the entire business group must meet the requirements of Article 16 of GBER for the measure to apply.

#### **Eligible Costs**

- Legal, advisory, consultancy and administrative costs directly related to the creation of the small enterprise;
- Interest on external finance and a dividend on own capital employed within the Commission official reference rate;
- Fees for renting production facilities / equipment;
- Energy, water, heating;
- Taxes (other than VAT and corporation taxes on business income);
- administrative charges;
- Depreciation and fees for leasing production facilities / equipment; and
- Wage costs including compulsory social security contributions such as Employer's NI, SSP and SMP, provided that the underlying investments or job creation and recruitment measures have not benefited from other aid.

## **Aid Intensity and Conditions**

The measure enables public support from the implementing body for up to 15% of eligible costs incurred in the first five years after the creation of the enterprise.

The measure enables public support from the implementing body for up to 25% of eligible costs incurred in the first three years after the creation of the enterprise, and 15% in the two years thereafter.

The maximum level of aid per small enterprise will be €1m per small enterprise.

The maximum annual allowance under this sub-scheme shall, in accordance with Article 14 (3) of GBER, not exceed 33% of the maximum threshold set out above.

## **Sub-Scheme 3 “Aid for consultancy in favour of SMEs”**

### **Article 26 - Aid for consultancy in favour of SMEs**

#### **Availability of aid**

Aid is given entirely at the discretion of the respective implementing body in their respective regions. The levels of assistance listed, represent the maximum values and percentages legally possible. The publication of this scheme does not indicate current availability of aid of this type.

#### **Purpose of the Scheme**

The purpose of the Scheme is to promote the efficiency and competitiveness of SMEs within the EU by:

- supporting SMEs within the implementing body’s territory to maintain and/or enhance their business competitiveness by accessing outside consultancy advice and services; and
- building confidence in SMEs to encourage them to access outside consultancy support in the future.

The scheme utilises the provisions of GBER Section 5, Article 26, allowing up to the relevant maximum threshold.

#### **Eligible Beneficiaries**

The measure is limited to SMEs.

#### **Eligible costs**

The eligible costs shall be the one-off consultancy costs of services provided by outside consultants (selected in accordance with the Public Contracts Regulations 2006 to ensure value for money and competition in the selection of the services).

The eligible costs must be transparent. All costs must be directly and exclusively related to the project. Evidence shall be provided to the implementing body, upon request, by the SME which demonstrates that the consultancy support provided does not exceed the market average for that type of consultancy support.

The service should not be a continuous or periodic activity nor relate to the SMEs usual operating costs such as routine tax consultancy services, ordinary legal services or advertising.

#### **Aid Intensity**

The aid intensity shall not exceed 50% of the eligible costs.

If an enterprise has received capital under a state aid risk capital measure, for the 3 years following this investment, the maximum intervention rates will be reduced by 50% in non assisted areas and 20% in assisted areas.

Maximum award shall not exceed €2m per SME per project.

## **Sub-Scheme 4: “Aid for SME participation in fairs”**

### **Article 27 – Aid for SME participation in fairs**

#### **Availability of aid**

Aid is given entirely at the discretion of the respective implementing body. The levels of assistance listed, represent the maximum values and percentages legally possible. The publication of this scheme does not indicate current availability of aid of this type.

#### **Purpose of the Scheme**

The purpose of the Scheme is to promote the efficiency and competitiveness of SMEs within the EU by:

- supporting regional SMEs to maintain and/or enhance their business competitiveness by support to attend and exhibit at trade fairs; and
- promoting the role of SMEs in the economy.

The scheme utilises the provisions of GBER Section 5, Article 27 allowing up to the maximum allowable threshold.

#### **Eligible Beneficiaries**

The measure is limited to SMEs.

#### **Eligible costs**

All eligible costs must be transparent and directly and exclusively related to the project.

Eligible costs shall be the costs incurred for renting, setting up and running the stand for the first participation of an undertaking in a particular fair or exhibition.

#### **Aid Intensity and conditions**

The aid intensity shall not exceed 50% of the eligible costs.

If an enterprise has received capital under a state aid risk capital measure, for the 3 years following this investment, the maximum intervention rates will be reduced by 50% in non assisted areas and 20% in assisted areas.

Maximum award shall not exceed €2m per SME per project.

## **Sub-Scheme 5: “Training Aid”**

### **Article 39 – Training Aid**

#### **Availability of aid**

Aid is given entirely at the discretion of the respective implementing body. The levels of assistance listed, represent the maximum values and percentages legally possible. The publication of this scheme does not indicate current availability of aid of this type.

#### **Purpose of the Scheme**

The purpose of the scheme is to allow targeted aid to increase the Skills level of workers in the UK and the EU by:

- increasing the general level of skills in the economy;
- encouraging enterprises to invest in training; and
- addressing the additional challenges faced by SMEs when investing in training.

The scheme utilises the provisions of GBER Section 8 Articles 38 and 39, allowing up to the maximum allowable threshold.

#### **Eligible Beneficiaries**

This measure is available to large, medium and small enterprises at different thresholds.

#### **Definitions**

**General training**: means training involving tuition which is not applicable only or principally to the employee's present or future position in the undertaking, but which provides qualifications that are largely transferable to other undertakings or fields of work. Training shall be considered general if, for example;

- a) it is jointly organised by different independent undertakings or where employees of different undertakings may avail themselves of the training; or
- b) it is recognised, certified or validated by public authorities or mandated institutions by the UK or the EU.

**Specific training**: means training involving tuition directly and principally applicable to the employee's present or future position in the undertaking and providing qualifications which are not or only to a limited extent transferrable to other undertakings or fields of work.

#### **Aid Intensity and Conditions**

For specific training the following eligible cost thresholds apply:

- Large enterprise 25%;
- Medium enterprise 35%; and
- Small enterprise 45%.

For general training the following eligible cost thresholds apply:

- Large enterprise 60%;
- Medium enterprise 70%; and
- Small enterprise 80%.

An extra 10% can be added for training of disadvantaged or disabled workers. However, the overall maximum cannot exceed 80% (with the exception of the maritime transport sector).

Training can be provided up to 100% for the maritime transport sector provided that (a) the trainee is not an active member of the crew but rather a supernumerary and (b) the training is carried out on board ships entered on community registers.

### **Eligible costs**

The implementing body shall ensure only the eligible costs are funded. These are:

- The trainers' personnel costs;
- The trainers' and trainees' travel expenses, including accommodation;
- Other current expenses such as materials and supplies directly related to the project;
- Depreciation of tools and equipment, to the extent that they are used exclusively for the training project;
- Cost of guidance and counselling services with regard to the training projects; and
- Trainees' personnel costs and general indirect costs (administrative costs, rent, overheads) but only up to the amount of the total of the other eligible costs referred to above. With regard to the trainee personnel costs, this only applies to hours spent in actual participation in training, not excluding training involving production.

Where specific and general elements of training cannot be disaggregated, the specific training limits shall be applied.

If an enterprise has received capital under a state aid risk capital measure, for the 3 years following this investment, the maximum intervention rates will be reduced by 50% in non assisted areas and 20% in assisted areas.

Maximum aid to any one enterprise shall not exceed €2 million.

## **Sub-Scheme 6 - “Aid for the recruitment of disadvantaged workers”**

**Article 36** – Aid for the recruitment of disadvantaged workers in the form of wage subsidies

### **Availability of aid**

Aid is given entirely at the discretion of the respective implementing body. The levels of assistance listed, represent the maximum values and percentages legally possible. The publication of this scheme does not indicate current availability of aid of this type.

### **Purpose of the Scheme**

The purpose of the Scheme is to increase the levels of employment of disadvantaged workers in the UK and EU.

The scheme utilises the provisions of GBER Section 9, Article 40 allowing up to the maximum allowable threshold.

### **Definitions**

**Disadvantaged worker**: means a person who fulfils one of the following:

- Has not been in regular paid employment for the previous 6 months
- Has not attend an upper secondary educational or vocational qualification
- Is over 50
- Lives as a single adult with one or more dependents
- Is a member of an ethnic minority within a member state and who requires development of his or her linguistic, vocational training or work experience profile to enhance prospects of gaining access to stable employment.

**Severely disadvantaged worker**: means any person who has been unemployed for 24 months or more.

### **Eligible Beneficiaries**

Enterprises of all sizes seeking support to overcome the additional costs associated with the employment of disadvantaged workers.

To be valid, the enterprise must install the disadvantaged worker in a new or vacant post. This is established under Article 41 (4) of GBER through the requirement that the recruitment must represent a net increase compared with the over the average level of staff over the previous 12 months. Where the post has existed before the aid, the funded post shall have fallen vacant after voluntary departure, disability, retirement on grounds of age, voluntary reduction of working time, or lawful dismissal for misconduct and not as a result of redundancy.

### **Eligible Costs**

The wage costs (including Employer NI, SSP and SMP) of a disadvantaged worker for up to 12 months.



The wage costs (including Employer NI, SSP and SMP) of a severely disadvantaged worker for up to 24 months.

### **Aid Intensity and Conditions**

The maximum allowable percentage of support under this measure is 50% of eligible costs.

If the period of employment is shorter than 12 months, the aid shall be reduced pro rata accordingly.

If an enterprise has received capital under a state aid risk capital measure, for the 3 years following this investment, the maximum intervention rates will be reduced by 50% in non assisted areas and 20% in assisted areas.

Maximum level of assistance €5m per enterprise.

## **Sub-Scheme 7: “Aid for the employment of disabled workers in the form of wage subsidies”**

**Article 41-** “Aid for the employment of disabled workers in the form of wage subsidies”

### **Availability of aid**

Aid is given entirely at the discretion of the respective implementing body. The levels of assistance listed, represent the maximum values and percentages legally possible. The publication of this scheme does not indicate current availability of aid of this type.

### **Purpose of the Scheme**

The purpose of the Scheme is to increase the levels of employment of disabled workers in the UK and EU.

The scheme utilises the provisions of GBER Section 9, Article 41 allowing up to the maximum allowable threshold.

### **Definitions**

**Disabled worker:** means any person:

- Registered as disabled under national law; and
- Who has a limitation which results from their physical, mental or psychological impairment.

### **Eligible Beneficiaries**

Enterprises of all sizes seeking support to overcome the additional costs associated with the employment of disadvantaged workers.

To be valid, the enterprise must install the disadvantaged worker in a new or vacant post. This is established under Article 41 (4) of GBER through the requirement that the recruitment must represent a net increase compared with the over the average level of staff over the previous 12 months. Where the post has existed before the aid, the funded post shall have fallen vacant after voluntary departure, disability, retirement on grounds of age, voluntary reduction of working time, or lawful dismissal for misconduct and not as a result of redundancy.

### **Eligible Costs**

The eligible costs shall be the wages (including Employer NI, SSP and SMP) over any given period during which the disabled worker is being employed.

### **Aid Intensity and Conditions**

The measure allows up to 75% of eligible costs to be funded for any given period that the disabled worker is employed.

The implementing body shall have discretion to calculate the award of aid upon the basis of the degree of disability of the disabled worker concerned and /or to provide the support as a lump sum, provided the maximum intervention rate is not exceeded.

Except in the case of lawful dismissal for misconduct the disabled worker shall be entitled to continuous employment for a minimum period consistent with national legislation concerned or any collective agreements governing employment contracts.

If the period of employment is shorter than 12 months, the aid shall be reduced pro rata accordingly.

If an enterprise has received capital under a state aid risk capital measure, for the 3 years following this investment, the maximum intervention rates will be reduced by 50% in non assisted areas and 20% in assisted areas.

The maximum level of assistance is €10m per enterprise

## **Sub-Scheme 8: “Aid for compensating the additional costs of employing disabled workers”**

**Article 42-** “Aid for compensating the additional costs of employing disabled workers”

### **Availability of aid**

Aid is given entirely at the discretion of the respective implementing body. The levels of assistance listed, represent the maximum values and percentages legally possible. The publication of this scheme does not indicate current availability of aid of this type.

### **Purpose of the Scheme**

The purpose of the Scheme is to increase the levels of employment of disabled workers in the UK and EU.

The scheme relates to the provisions of GBER Section 9, Article 42 allowing up to the maximum allowable threshold.

### **Definitions**

**Disabled worker:** means any person:

- Registered as disabled under national law; and
- Who has a limitation which results from their physical, mental or psychological impairment.

### **Eligible Beneficiaries**

Enterprises of all sizes seeking support to overcome the additional costs associated with the employment of disabled workers.

### **Eligible Costs**

The eligible costs shall be all costs other than wage costs directly associated with the employment of a disabled worker, such as:

- The costs of adapting premises;
- Costs of employing staff for time spent solely on the assistance of the disabled workers;
- Costs of adapting or acquiring equipment;
- Costs of acquiring and validating software for use by disabled workers, including technology additional to that required if the person was not disabled; and
- Where the beneficiary provides sheltered employment costs of constructing, installing or expanding the establishment concerned; and
- Any costs of administration and transport which result directly from the employment of disabled workers.

All costs must be additional to those which the enterprise would have incurred if employing workers who are not disabled, over the period during which the worker concerned is being

employed. The investment shall be the minimum required to enable the disabled worker to operate in their role and enable them to perform at a similar level to their colleagues.

### **Aid Intensity and Conditions**

This measure shall support up to 100% of the eligible costs.

Maximum grant shall not exceed €10 million per enterprise.