



## **General Conditions**

### **1. Title**

The English Aid for Environmental Protection Scheme (the “Scheme”)

### **2. Member State**

United Kingdom

### **3. Regions**

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

### **4. Organisations permitted to award aid under the Scheme**

The Department for Communities and Local Government

### **5. Legal Basis**

Aid under the Scheme may be awarded in accordance with the relevant terms and conditions of the General Block Exemption Regulation 2014-2020 (“GBER”). Each award must comply with the General Conditions of the Scheme and the relevant Specific Condition(s).

### **6. UK legal authority to award aid**

The Department for Communities and Local Government is authorised to award aid under domestic law, including:

- 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

### **7. Duration**

From 4.7.2014 to 31.12.2020

### **8. Forms of aid**

Awards under the Scheme may take the form of:

- Grants;

- Loans below the reference rate; and
- Repayable advances.

#### **9. Incentive Effect**

All awards under the Scheme must demonstrate the 'incentive effect' in accordance with the requirements of the GBER.

This may involve the submission of documents to the funder prior to the award of funding.

#### **10. Reporting**

All awards are conditional upon the recipient providing suitable information to meet GBER reporting requirements set out in the GBER.

#### **11. Cumulation**

Aid awarded under the Scheme may only be cumulated with other awards of State Aid where these relate to different eligible costs.

#### **12. Budget**

In any calendar year the Scheme shall not be used to provide awards which cumulatively exceed €125 million (around £99m). This sum is provided for State Aid purposes only and does not reflect a committed government budget.

#### **13. Funding**

The awards of aid provided under the Scheme may come from EU structured funds and state funds.

All awards of funding must identify the relevant regulation used to award funding, these are listed under specific conditions.

#### **14. Primacy**

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

#### **15. Contact**

Questions about this scheme should be directed to the State Aid Policy Network, c/o ERDF Policy Unit, The Department for Communities and Local Government, Fry Building, 2 Marsham Street, London, SW1P 4DF.

## Specific Conditions

### 1. Name

Investment aid enabling undertakings to go beyond Union standards for environmental protection or to increase the level of environmental protection in the absence of Union standards

### 2. Eligible costs

The eligible costs shall be the extra investment costs necessary to go beyond the applicable Union standards. The costs not directly linked to the achievement of the higher level of environmental protection are not eligible. In particular, the eligible costs shall be the following:-

- (a) Where the costs of investing in environmental protection can be identified in the total investment cost as a separate investment, this environmental protection-related cost shall constitute the eligible costs;
- (b) In all other cases, the costs of investing in environmental protection are identified by reference to a similar, less environmental friendly investment that would have been credibly carried out without the aid. The difference identifies the environmental protection-related cost and constitutes the eligible costs.

### 3. Aid intensity

Aid Measure	Maximum % aid intensity levels for:			Notification thresholds (€)
	Large Enterprises	Medium Enterprises	Small Enterprises	
<p><b><u>GBER Article 36:</u></b>  <b>Investment aid enabling undertakings to go beyond Union standards for environmental protection or increase the level of environmental protection in the absence of Union standards</b></p> <p><b>and <u>GBER Article 4</u></b></p>	<p>40% of the eligible costs, plus 15% in Art 107(3)(a) areas and 5% in Art 107(3)(c) areas.</p>	<p>50% of the eligible costs, plus 15% in Art 107(3)(a) areas and 5% in Art 107(3)(c) areas.</p>	<p>60% of the eligible costs, plus 15% in Art 107(3)(a) areas and 5% in Art 107(3)(c) areas.</p>	<p>€15 million per undertaking per investment project.</p>

### 4. Excluded undertakings

See GBER Article 1.

### 5. Other conditions

Aid Measure	Condition
<b><u>GBER Article 36, point 2</u></b>	The investment shall fulfil one of the following conditions: (a) it shall enable the beneficiary to increase the level of environmental protection resulting from its activities by going beyond the applicable Union standards, irrespective of the presence of mandatory national standards that are more stringent than the Union standards; (b) it shall enable the beneficiary to increase the level of environmental protection resulting from its activities in the absence of Union standards.
<b><u>GBER Article 36, point 3</u></b>	Aid shall not be granted where investments are undertaken to ensure that undertakings comply with Union standards already adopted and not yet in force.
<b><u>GBER Article 36, point 4</u></b>	By way of derogation from point 3, aid may be granted for (a) the acquisition of new transport vehicles for road, railway, inland waterway and maritime transport complying with adopted Union standards, provided that the acquisition occurs before those standards enter into force and that, once mandatory, they do not apply to vehicles already purchased before that date. (b) retrofitting of existing transport vehicles for road, railway, inland waterway and maritime transport, provided that the Union standards were not yet in force at the date of entry into operation of those vehicles and that, once mandatory, they do not apply retroactively to those vehicles.

## Specific Conditions

### 1. Name

Investment aid for early adaptation to future Union standards

### 2. Eligible costs

The eligible costs shall be the investment costs necessary to go beyond the applicable Union standards. The costs not directly linked to the achievement of the higher level of environmental protection are not eligible. In particular, the eligible costs shall be the following:-

- (a) Where the costs of investing in environmental protection can be identified in the total investment cost as a separate investment, this environmental protection-related cost shall constitute the eligible costs;
- (b) In all other cases, the costs of investing in environmental protection are identified by reference to a similar, less environmental friendly investment that would have been credibly carried out without the aid. The difference identifies the environmental protection-related cost and constitutes the eligible costs.

### 3. Aid intensity

Aid Measure	Maximum % aid intensity levels for:			Notification thresholds (€)
	Large Enterprises	Medium Enterprises	Small Enterprises	
<p><b><u>GBER Article 37:</u></b>  <b>Investment aid for early adaptation to future Union standards</b></p> <p><b><u>and GBER Article 4</u></b></p>	<p>10% of eligible costs if implementation and finalisation take place more than 3 years before date of entry into force of standard.</p> <p>5% of eligible costs if the implementation and finalisation take place between 1-3 years before date of entry into force of standard.</p> <p>Plus 15% in Art 107(3)(a) areas and 5% in Art 107(3)(c) areas.</p>	<p>15% of eligible costs if implementation and finalisation take place more than 3 years before date of entry into force of standard.</p> <p>10% of eligible costs if the implementation and finalisation take place between 1-3 years before date of entry into force of standard.</p> <p>Plus 15% in Art 107(3)(a) areas and 5% in Art 107(3)(c) areas.</p>	<p>20% of eligible costs if implementation and finalisation take place more than 3 years before date of entry into force of standard.</p> <p>15% of eligible costs if the implementation and finalisation take place between 1-3 years before date of entry into force of standard.</p> <p>Plus 15% in Art 107(3)(a) areas and 5% in Art 107(3)(c) areas.</p>	<p>€15 million per undertaking per investment project.</p>

4. **Excluded undertakings**

See GBER Article 1.

5. **Other conditions**

<b>Aid Measure</b>	<b>Condition</b>
<b><u>GBER Article 37, point 2</u></b>	The Union standards shall have been adopted and the investment shall be implemented and finalised at least one year before the date of entry into force of the standard concerned.

## Specific Conditions

### 1. Name

Investment aid for energy efficiency measures

### 2. Eligible costs

The eligible costs shall be the investment costs necessary to achieve the higher level of energy saving. The costs not directly linked to the achievement of the higher level of energy saving are not eligible. In particular, the eligible costs shall be the following:-

- (a) Where the costs of investing in energy saving can be identified in the total investment cost as a separate investment, this energy saving-related cost shall constitute the eligible costs;
- (b) In all other cases, the costs of investing in energy saving are identified by reference to a similar, less energy saving investment that would have been credibly carried out without the aid. The difference identifies the energy saving-related cost and constitutes the eligible costs.

### 3. Aid intensity

Aid Measure	Maximum % aid intensity levels for:			Notification thresholds (€)
	Large Enterprises	Medium Enterprises	Small Enterprises	
<b><u>GBER Article 38:</u></b> <b>Investment aid for energy efficiency measures</b>  <b>and <u>GBER Article 4</u></b>	30% of eligible costs, plus 15% in Art 107(3)(a) areas and 5% in Art 107(3)(c) areas.	40% of eligible costs, plus 15% in Art 107(3)(a) areas and 5% in Art 107(3)(c) areas.	50% of eligible costs, plus 15% in Art 107(3)(a) areas and 5% in Art 107(3)(c) areas.	€10 million per undertaking per investment project.

### 4. Excluded undertakings

See GBER Article 1.

### 5. Other conditions

Aid Measure	Condition
<b><u>GBER Article 38, point 2</u></b>	Aid shall not be granted where investments are undertaken to ensure that undertakings comply with Union standards already adopted and not yet in force.

## Specific Conditions

### 1. Name

Aid for energy efficiency projects in buildings

### 2. Eligible costs

The eligible costs shall be the overall costs of the energy efficiency project.

### 3. Aid intensity

Aid Measure	Maximum % aid intensity levels for:			Notification thresholds (€)
	Large Enterprises	Medium Enterprises	Small Enterprises	
<b><u>GBER Article 39:</u></b> <b>Aid for energy efficiency projects</b>  <b>and <u>GBER Article 4</u></b>	70%: The energy efficiency aid shall leverage additional investment from private investors reaching at minimum 30 % of the total financing provided to an energy efficiency project. When the aid is provided by an energy efficiency fund, the leverage of private investment can be done at the level of the energy efficiency fund and/or at the level of the energy efficiency projects, so as to achieve an aggregate minimum 30 % of the total financing provided to an energy efficiency project.			€10 million per undertaking per investment project.

### 4. Excluded undertakings

See GBER Article 1.

### 5. Other conditions

Aid Measure	Condition
<b><u>GBER Article 39, point 2</u></b>	Eligible for aid under the present Article are energy efficiency projects relating to buildings.
<b><u>GBER Article 39, point 4</u></b>	The aid shall be granted in the form of an endowment, equity, a guarantee or loan to an energy efficiency fund or other financial intermediary, which shall fully pass it on to the final beneficiaries being the building owners or tenants.
<b><u>GBER Article 39, point 5</u></b>	The aid granted by the energy efficiency fund or other financial intermediary to the eligible energy efficiency projects may take the form of loans or guarantees. The nominal value of the loan or the amount guaranteed shall not exceed EUR 10 million per project at the level of the final beneficiaries. The guarantee should not exceed 80 % of the underlying loan.
<b><u>GBER Article 39, point 6</u></b>	The repayment by the building owners to the energy efficiency fund or other financial intermediary shall not be less than the nominal value of the loan.
<b><u>GBER Article 39, point 8</u></b>	Member States can set up energy efficiency funds and/or can use financial intermediaries when providing energy efficiency aid. The following conditions must



	<p>then be fulfilled:</p> <p>(a) Financial intermediary managers, as well as energy efficiency fund managers shall be selected through an open, transparent and non-discriminatory call in accordance with applicable Union and national laws. In particular, there shall be no discrimination on the basis of their place of establishment or incorporation in any Member State. Financial intermediaries and energy efficiency fund managers may be required to fulfil predefined criteria objectively justified by the nature of the investments;</p> <p>(b) The independent private investors shall be selected through an open, transparent and non-discriminatory call in accordance with applicable Union and national laws aimed at establishing the appropriate risk-reward sharing arrangements whereby, for investments other than guarantees, asymmetric profit-sharing shall be given preference over downside protection. If the private investors are not selected by such a call, the fair rate of return to the private investors shall be established by an independent expert selected via an open, transparent and non-discriminatory call;</p> <p>(c) In the case of asymmetric loss-sharing between public and private investors, the first loss assumed by the public investor shall be capped at 25 % of the total investment;</p> <p>(d) In the case of guarantees, the guarantee rate shall be limited to 80 % and total losses assumed by a Member State shall be capped at 25 % of the underlying guaranteed portfolio. Only guarantees covering the expected losses of the underlying guaranteed portfolio can be provided for free. If a guarantee also comprises coverage of unexpected losses, the financial intermediary shall pay, for the part of the guarantee covering unexpected losses, a market conform guarantee premium;</p> <p>(e) The investors shall be allowed to be represented in the governance bodies of the energy efficiency fund or financial intermediary, such as the supervisory board or the advisory committee;</p> <p>(f) The energy efficiency fund or financial intermediary shall be established according to the applicable laws and the Member State shall provide for a due diligence process in order to ensure a commercially sound investment strategy for the purpose of implementing the energy efficiency aid measure.</p>
<p><b><u>GBER Article 39, point 9</u></b></p>	<p>Financial intermediaries, including energy efficiency funds shall be managed on a commercial basis and shall ensure profit-driven financing decisions. This is considered to be the case when the financial intermediary and, as the case may be, the managers of the energy efficiency fund fulfil the following conditions:</p> <p>(a) they are obliged by law or contract to act with the diligence of a professional manager in good faith and avoiding conflicts of interest; best practices and regulatory supervision shall apply;</p> <p>(b) their remuneration conforms with market practices. This requirement is considered to be met where the manager is selected through an open, transparent and non-discriminatory call, based on objective criteria linked to experience, expertise and operational and financial capacity;</p> <p>(c) they shall receive a remuneration linked to performance, or shall share part of the investment risks by co-investing own resources so as to ensure that their interests are permanently aligned with the interests of the public investor;</p> <p>(d) they shall set out an investment strategy, criteria and the proposed timing of investments in energy efficiency projects, establishing the ex-ante financial viability and their expected impact on energy efficiency;</p> <p>(e) a clear and realistic exit strategy shall exist for the public funds invested in the energy efficiency fund or granted to the financial intermediary, allowing the market to finance energy efficiency projects when the market is ready to do so.</p>
<p><b><u>GBER Article 39, point 10</u></b></p>	<p>Energy efficiency improvements undertaken to ensure that the beneficiary complies with Union standards which have already been adopted shall not be exempted from the notification requirement under GBER Article 39.</p>

## Specific Conditions

### 1. Name

Investment aid for high-efficiency cogeneration

### 2. Eligible costs

The eligible costs shall be the extra investment costs for the equipment needed for the installation to operate as a high-efficiency cogeneration installation, compared to conventional electricity or heating installations of the same capacity or to upgrade to a higher efficiency when an existing installation meets already the high-efficiency threshold.

### 3. Aid intensity

Aid Measure	Maximum % aid intensity levels for:			Notification thresholds (€)
	Large Enterprises	Medium Enterprises	Small Enterprises	
<b><u>GBER Article 40:</u></b> <b>Investment aid for high-efficiency cogeneration</b>  <b>and <u>GBER Article 4</u></b>	45% of the eligible costs, plus 15% in Art 107(3)(a) areas and 5% in Art 107(3)(c) areas.	55% of the eligible costs, plus 15% in Art 107(3)(a) areas and 5% in Art 107(3)(c) areas.	65% of the eligible costs, plus 15% in Art 107(3)(a) areas and 5% in Art 107(3)(c) areas.	€15 million per undertaking per investment project.

### 4. Excluded undertakings

See GBER Article 1.

### 5. Other conditions

Aid Measure	Condition
<b><u>GBER Article 40, point 2</u></b>	The investment aid shall be granted in respect of newly installed or refurbished capacities only.
<b><u>GBER Article 40, point 3</u></b>	The new cogeneration unit shall provide overall primary energy savings compared to separate production of heat and electricity as provided for by Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC (1). The improvement of an existing cogeneration unit or conversion of an existing power generation unit into a cogeneration unit shall result in primary energy savings compared to the original situation.

## Specific Conditions

### 1. Name

Investment aid for the promotion of energy from renewable sources

### 2. Eligible costs

The eligible costs shall be investment costs necessary to achieve the higher level of environmental protection. The costs not directly linked to the achievement of the higher level of environmental protection shall not be eligible. In particular, the eligible costs shall be the following:-

- (a) Where the costs of investing in environmental protection can be identified in the total investment cost as a separate investment, this environmental protection-related cost shall constitute the eligible costs;
- (b) Where the costs of investing in environmental protection are identified by reference to a similar, less environmental friendly investment that would have been credibly carried out without the aid. The difference identifies the environmental protection-related cost and constitutes the eligible costs;
- (c) For certain small installations where a less environmentally friendly investment cannot be established as plants of a limited size do not exist, the total investment costs to achieve a higher level of environmental protection shall constitute the eligible costs.

### 3. Aid intensity

Aid Measure	Maximum % aid intensity levels for:			Notification thresholds (€)
	Large Enterprises	Medium Enterprises	Small Enterprises	
<b><u>GBER Article 41:</u></b> <b>Investment aid for the promotion of energy from renewable sources</b>  <b>and <u>GBER Article 4</u></b>	45% of the eligible costs if calculated on the basis of 2(a) or (b) above, 30% if 2(c) above, plus 15% in Art 107(3)(a) areas and 5% in Art 107(3)(c) areas.	55% of the eligible costs if calculated on the basis of 2(a) or (b) above, 40% if 2(c) above, plus 15% in Art 107(3)(a) areas and by 5% in Art 107(3)(c) areas.	65% of the eligible costs if calculated on the basis of 2(a) or (b) above, 50% if 2(c) above, plus 15% in Art 107(3)(a) areas and by 5% in Art 107(3)(c) areas.	€15 million per undertaking per investment project.

### 4. Excluded undertakings

See GBER Article 1.

### 5. Other conditions

Aid Measure	Condition
<b><u>GBER Article 41, point 2</u></b>	Investment aid for the production of biofuels shall be exempted from the notification requirement only to the extent that the aided investments are used for the production of sustainable biofuels other than food-based biofuels. However, investment aid to convert existing food-based biofuel plants into advanced biofuel plants shall be

	exempted under GBER Article 41, provided that the food-based production would be reduced commensurate to the new capacity.
<b><u>GBER Article 41, point 3</u></b>	Aid shall not be granted for biofuels which are subject to a supply or blending obligation.
<b><u>GBER Article 41, point 4</u></b>	Aid shall not be granted for hydropower installations that do not comply with Directive 2000/60/EC of the European Parliament.
<b><u>GBER Article 41, point 5</u></b>	The investment aid shall be granted to new installations only. No aid shall be granted or paid out after the installation started operations and aid shall be independent from the output.
<b><u>GBER Article 41, point 10</u></b>	Where aid is granted in a competitive bidding process on the basis of clear, transparent and non-discriminatory criteria, the aid intensity may reach 100 % of the eligible costs. Such a bidding process shall be non-discriminatory and provide for the participation of all interested undertakings. The budget related to the bidding process shall be a binding constraint in the sense that not all participants can receive aid and the aid shall be granted on the basis of the initial bid submitted by the bidder, therefore excluding subsequent negotiations.

## Specific Conditions

### 1. Name

Operating aid for the promotion of electricity from renewable sources

### 2. Eligible undertakings

Aid shall be granted in a genuinely competitive bidding process on the basis of clear, transparent and non-discriminatory criteria. All generators producing electricity from renewable energy sources shall be allowed to bid for the aid on a non-discriminatory basis.

### 3. Aid intensity

Aid Measure	Maximum % aid intensity levels for:			Notification thresholds (€)
	Large Enterprises	Medium Enterprises	Small Enterprises	
<b><u>GBER Article 42:</u></b> Operating aid for the promotion of electricity from renewable sources  <b><u>and GBER Article 4</u></b>	Aid not provided on an aid intensity basis.			€15 million per undertaking per investment project.

### 4. Excluded undertakings

See GBER Article 1.

### 5. Other conditions

Aid Measure	Condition
<b><u>GBER Article 42, point 3</u></b>	The bidding process can be limited to specific technologies where a process open to all generators would lead to a suboptimal result which cannot be addressed in the process design in view of in particular: (i) the longer-term potential of a given new and innovative technology; or (ii) the need to achieve diversification; or (iii) network constraints and grid stability; or (iv) system (integration) costs; or (v) the need to avoid distortions on the raw material markets from biomass support Member States shall carry out a detailed assessment of the applicability of such conditions and report it to the Commission according to the modalities described in GBER Article 11 (a).
<b><u>GBER Article 42, point 4</u></b>	Aid shall be granted to new and innovative renewable energy technologies in a competitive bidding process open to at least one such technology on the basis of clear, transparent and non-discriminatory criteria. Such aid shall not be granted for more than 5 % of the planned new electricity capacity from renewable energy sources per year in total.

<b><u>GBER Article 42, point 5</u></b>	Aid shall be granted as a premium in addition to the market price whereby the generators sell their electricity directly in the market.
<b><u>GBER Article 42, point 6</u></b>	Aid beneficiaries shall be subject to standard balancing responsibilities. Beneficiaries may outsource balancing responsibilities to other undertakings on their behalf, such as aggregators.
<b><u>GBER Article 42, point 7</u></b>	Aid shall not be granted when prices are negative.
<b><u>GBER Article 42, point 8</u></b>	Aid may be granted in the absence of a competitive bidding process as described in point 2 to installations with an installed electricity capacity of less than 1 MW for the production of electricity from all renewable sources except for wind energy, where aid may be granted in the absence of a competitive bidding process as described in point 2 to installations with an installed electricity capacity of less than 6 MW or to installations with less than 6 generation units. Without prejudice to point 9, when aid is granted in the absence of a competitive bidding process, the conditions under points 5, 6 and 7 shall be respected. In addition, when aid is granted in the absence of a competitive bidding process, the conditions under GBER Article 43 points 5, 6 and 7 shall be applicable.
<b><u>GBER Article 42, point 9</u></b>	The conditions under points 5, 6 and 7 shall not apply to operating aid granted to installations with an installed electricity capacity of less than 500 kW for the production of electricity from all renewable sources except for wind energy, where these conditions shall not apply to operating aid granted to installations with an installed electricity capacity of less than 3 MW or to installations with less than 3 generation units.
<b><u>GBER Article 42, point 10</u></b>	For the purpose of calculating the above maximum capacities referred to in points 8 and 9, installations with a common connection point to the electricity grid shall be considered as one installation.
<b><u>GBER Article 42, point 11</u></b>	Aid shall only be granted until the plant generating the electricity from renewable sources has been fully depreciated according to generally accepted accounting principles. Any investment aid previously received must be deducted from the operating aid.

## Specific Conditions

### 1. Name

Operating aid for the promotion of energy from renewable sources in small scale installations

### 2. Eligible undertakings

Aid shall only be granted to installations with an installed capacity of less than 500 kW for the production of energy from all renewable sources except for wind energy, for which aid shall be granted to installations with an installed capacity of less than 3 MW or with less than 3 generation units and for biofuels, for which aid shall be granted to installations with an installed capacity of less than 50 000 tonnes/year. For the purpose of calculating the above maximum capacities, small scale installations with a common connection point to the electricity grid shall be considered as one installation.

Aid shall only be granted to installations producing sustainable biofuels other than food-based biofuels. However, operating aid to plants producing food-based biofuels that have started operation before 31 December 2013 and are not yet fully depreciated shall be exempted under this Article but in any event no later than 2020.

### 3. Aid intensity

Aid Measure	Maximum % aid intensity levels for:			Notification thresholds (€)
	Large Enterprises	Medium Enterprises	Small Enterprises	
<p><b><u>GBER Article 43:</u></b>  <b>Operating aid for the promotion of energy from renewable sources in small scale installations</b></p> <p>and <b><u>GBER Article 4</u></b></p>	<p>The aid per unit of energy shall not exceed the difference between the total levelized costs of producing energy from the renewable source in question and the market price of the form of energy concerned. The levelized costs shall be updated regularly and at least every year.</p>			<p>€15 million per undertaking per investment project.</p>

### 4. Excluded undertakings

See GBER Article 1.

### 5. Other conditions

Aid Measure	Condition
<b><u>GBER Article 43, point 4</u></b>	Aid shall not be granted for biofuels which are subject to a supply or blending obligation.
<b><u>GBER Article 43, point 6</u></b>	The maximum rate of return used in the levelized cost calculation shall not exceed the relevant swap rate plus a premium of 100 basis points. The relevant swap rate shall be the swap rate of the currency in which the aid is granted for a maturity that reflects the depreciation period of the installations supported.

**GBER Article 43.**  
**point 7**

Aid shall only be granted until the installation has been fully depreciated according to generally accepted accounting principles. Any investment aid granted to an installation shall be deducted from the operating aid.



## Specific Conditions

### 1. Name

Aid in the form of reductions in environmental taxes under Directive 2003/96/EC

### 2. Eligible undertakings

The beneficiaries of the tax reduction shall be selected on the basis of transparent and objective criteria and shall pay at least the respective minimum level of taxation set by Directive 2003/96/EC.

### 3. Aid intensity

Aid Measure	Maximum % aid intensity levels for:			Notification thresholds (€)
	Large Enterprises	Medium Enterprises	Small Enterprises	
<b><u>GBER Article 44:</u></b> <b>Aid in the form of reductions in environmental taxes under Directive 2003/96/EC</b>  <b>and <u>GBER Article 4</u></b>	Aid not provided on an aid intensity basis.			€15 million per undertaking per investment project.

### 4. Excluded undertakings

See GBER Article 1.

### 5. Other conditions

Aid Measure	Condition
<b><u>GBER Article 44, point 3</u></b>	Aid schemes in the form of tax reductions shall be based on a reduction of the applicable environmental tax rate or on the payment of a fixed compensation amount or on a combination of these mechanisms.
<b><u>GBER Article 44, point 4</u></b>	Aid shall not be granted for biofuels which are subject to a supply or blending obligation.

## Specific Conditions

### 1. Name

Investment aid for remediation of contaminated sites

### 2. Eligible costs

The eligible costs shall be the costs incurred for the remediation work, less the increase in value of the land. All expenditure incurred by an undertaking in remediating its site, whether or not such expenditure can be shown as a fixed asset on its balance sheet, may be considered as eligible investment in the case of the remediation of contaminated sites.

### 3. Aid intensity

Aid Measure	Maximum % aid intensity levels for:			Notification thresholds (€)
	Large Enterprises	Medium Enterprises	Small Enterprises	
<b><u>GBER Article 45:</u></b> Investment aid for remediation of contaminated sites.  <b><u>and GBER Article 4</u></b>	100% of the eligible costs.			€20 million per undertaking per investment project.

### 4. Excluded undertakings

See GBER Article 1.

### 5. Other conditions

Aid Measure	Condition
<b><u>GBER Article 45, point 2</u></b>	The investment shall lead to the repair of the environmental damage, including damage to the quality of the soil or of surface water or groundwater.
<b><u>GBER Article 45, point 3</u></b>	Where the legal or physical person liable for the environmental damage under the law applicable in each Member State without prejudice to the Union rules in this matter — in particular Directive 2004/35/EC of the European Parliament and of the Council of 21 April 2004 on environmental liability with regard to the prevention and remedying of environmental damage (2) as amended by Directive 2006/21/EC of the European Parliament and of the Council of 15 March 2006 on the management of waste from extractive industries (3), Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide and amending Council Directive 85/337/EEC, European Parliament and Council Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and Regulation (EC) No 1013/2006 (4) and Directive 2013/30/EU of the European Parliament and of the Council of 12 June 2013 on safety of offshore oil and gas operations and amending Directive 2004/35/EC (5) — is identified, that person must finance the remediation in

	accordance with the 'polluter pays' principle, and no State aid shall be granted. Where the person liable under the applicable law is not identified or cannot be made to bear the costs, the person responsible for the remediation or decontamination work may receive State aid.
<b><u>GBER Article 45, point 5</u></b>	Evaluations of the increase in value of the land resulting from remediation shall be carried out by an independent expert.

## Specific Conditions

### 1. Name

Investment aid for energy efficient district heating and cooling

### 2. Eligible costs

The eligible costs for the generation installation shall be the extra costs needed for the construction, expansion and refurbishment of one or more generation units to operate as an energy efficient district heating and cooling system compared to a conventional production plant. The investment shall be an integral part of the efficient district heating and cooling system.

The eligible costs for the distribution network shall be the investment costs.

### 3. Aid intensity

Aid Measure	Maximum % aid intensity levels for:			Notification thresholds (€)
	Large Enterprises	Medium Enterprises	Small Enterprises	
<b><u>GBER Article 46:</u></b> <b>Investment aid for energy efficient district heating and cooling</b>  <b>and <u>GBER Article 4</u></b>	45% of the eligible costs, plus 15% in Art 107(3)(a) areas and 5% in Art 107(3)(c) areas.	55% of the eligible costs, plus 15% in Art 107(3)(a) areas and 5% in Art 107(3)(c) areas.	65% of the eligible costs, plus 15% in Art 107(3)(a) areas and 5% in Art 107(3)(c) areas.	€20 million per undertaking per investment project.

### 4. Excluded undertakings

See GBER Article 1.

### 5. Other conditions

Aid Measure	Condition
<b><u>GBER Article 46, point 6</u></b>	The aid amount for the distribution network shall not exceed the difference between the eligible costs and the operating profit. The operating profit shall be deducted from the eligible costs ex ante or through a claw-back mechanism.

## Specific Conditions

### 1. Name

Investment aid for waste recycling and re-utilisation

### 2. Eligible costs

The eligible costs shall be the extra investment costs necessary to realise an investment leading to better or more efficient recycling or re-use activities compared to a conventional process of re-use and recycling activities with the same capacity that would be constructed in the absence of the aid.

### 3. Aid intensity

Aid Measure	Maximum % aid intensity levels for:			Notification thresholds (€)
	Large Enterprises	Medium Enterprises	Small Enterprises	
<b><u>GBER Article 47:</u></b> <b>Investment aid for waste recycling and re-utilisation</b>  <b>and <u>GBER Article 4</u></b>	35% of the eligible costs, plus 15% in Art 107(3)(a) areas and 5% in Art 107(3)(c) areas.	45% of the eligible costs, plus 15% in Art 107(3)(a) areas and 5% in Art 107(3)(c) areas.	55% of the eligible costs, plus 15% in Art 107(3)(a) areas and 5% in Art 107(3)(c) areas.	€15 million per undertaking per investment project.

### 4. Excluded undertakings

See GBER Article 1.

### 5. Other conditions

Aid Measure	Condition
<b><u>GBER Article 47, point 2</u></b>	The investment aid shall be granted for the recycling and re-utilisation of waste generated by other undertakings.
<b><u>GBER Article 47, point 3</u></b>	The recycled or re-used materials treated would otherwise be disposed of, or be treated in a less environmentally friendly manner. Aid to waste recovery operations other than recycling shall not be block exempted under GBER Article 47.
<b><u>GBER Article 47, point 4</u></b>	The aid shall not indirectly relieve the polluters from a burden that should be borne by them under Union law, or from a burden that should be considered a normal company cost.
<b><u>GBER Article 47, point 5</u></b>	The investment shall not merely increase demand for the materials to be recycled without increasing collection of those materials.
<b><u>GBER Article 47, point 6</u></b>	The investment shall go beyond the state of the art.

**GBER Article 47.**  
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Aid for investments relating to the recycling and re-utilisation of the beneficiary's own waste shall not be exempt from the notification requirement under GBER Article 47.

## Specific Conditions

### 1. Name

Investment aid for energy infrastructure

### 2. Eligible costs

The eligible costs shall be the investment costs.

### 3. Aid intensity

Aid Measure	Maximum % aid intensity levels for:			Notification thresholds (€)
	Large Enterprises	Medium Enterprises	Small Enterprises	
<u><b>GBER Article 48:</b></u> Investment aid for energy infrastructure  and <u><b>GBER Article 4</b></u>	Aid not provided on an aid intensity basis.			€50 million per undertaking per investment project.

### 4. Excluded undertakings

See GBER Article 1.

### 5. Other conditions

Aid Measure	Condition
<u><b>GBER Article 48, point 2</b></u>	Aid shall be granted for energy infrastructure located in assisted areas.
<u><b>GBER Article 48, point 3</b></u>	The energy infrastructure shall be subject to full tariff and access regulation according to internal energy market legislation.
<u><b>GBER Article 48, point 5</b></u>	The aid amount shall not exceed the difference between the eligible costs and the operating profit of the investment. The operating profit shall be deducted from the eligible costs ex ante or through a claw-back mechanism.
<u><b>GBER Article 48, point 6</b></u>	Aid for investments in electricity and gas storage projects and oil infrastructure shall not be exempt from the notification requirement under GBER Article 48.

## Specific Conditions

### 1. Name

Aid for environmental studies

### 2. Eligible costs

The eligible costs shall be the costs of studies, including energy audits, directly linked to investments referred to in section 7 of GBER.

### 3. Aid intensity

Aid Measure	Maximum % aid intensity levels for:			Notification thresholds (€)
	Large Enterprises	Medium Enterprises	Small Enterprises	
<b><u>GBER Article 49:</u></b> <b>Aid for environmental studies</b>  <b>and <u>GBER Article 4</u></b>	50% of the eligible costs.	60% of the eligible costs.	70% of the eligible costs.	None.

### 4. Excluded undertakings

See GBER Article 1.

### 5. Other conditions

Aid Measure	Condition
<b><u>GBER Article 49, point 5</u></b>	Aid shall not be granted to large undertakings for energy audits carried out under Article 8(4) of the Directive 2012/27/EU, unless the energy audit is carried out in addition to the mandatory energy audit under that Directive.