

## **REGULATION**

### **On state aid register**

The present Regulation transposes Annex III A of the Regulation (EC) No 794/2004 of Commission of 21 April 2004 implementing Council Regulation (EC) No 659/1999 laying down detailed rules for the application of Article 93 of the EC Treaty, published in Official Journal of European Union L140 of 30 April 2004.

#### **Section 1**

##### **General provisions**

- 1.** Regulation on State Aid Register (hereinafter - Regulation) is made on the grounds of Article 41 Para (1) c), Articles 45 and 46 of the Competition Law no.183 of 11.07.2012, Article 19 Law No. 139 of 15.06.2012 on State Aid and the Law no.71-XVI of 22.03.2007 on registers.
- 2.** This Regulation aims at keeping records of state aid entrusted by the Plenum of the Competition Council to ensure transparency in the use of state resources, the administrative territorial units and legal entities which administrate in any form state assets or of administrative territorial units.
- 3.** The present Regulation establishes the instituting, maintenance, registration and keeping of the Register of state aid.
- 4.** State aid Registry is an information system which contains a database on state aid, managed by the Competition Council.
- 5.** The Competition Council shall act as holder of the State aid Register.
- 6.** State aid Registry operates under the following principles:
  - 1) initiation transparency and state aids;
  - 2) integrated records of state aid;
  - 3) citizens 'access to public information on state aid.
- 7.** State aid register is used in strict accordance with its destination, systematized and supplemented so as to allow any time identification and control of the operations performed.

#### **Section 2**

##### **State aid reporting**

- 8.** State aid providers are required to report to Competition Council all state aid granted.
- 9.** Reporting State aid will be made by completing the data and information contained in the report form of state aid provided in Annex 1 to this Regulation.

**10.** Providers granted the de minimis aid shall submit annually to the Competition Council, information regarding individual de minimis aid granted in the previous year, as well as information on de minimis aid schemes, as it is stipulated in the Regulation on de minimis aid.

**11.** Reporting of de minimis aid shall be made by completing the data and information contained in the report form of de minimis aid provided in Annex 1 to the Regulation on de minimis aid.

**12..** In view of the update and supplement of the state aid Register, state aid providers annually send to the Competition Council, by 31 March of the following reporting year, the data and information stipulated in the Reporting Form of state aids.

**13.** Reporting forms of state aid granted shall be transmitted on paper and electronically, with signature of receipt and registration number, or by mail, with return receipt.

**14.** Electronic submission or via email or in a form which will be available on the website of the Competition Council or by other methods.

**15.** Responsibility for the accuracy and correctness of reported data and information, as well as the terms of reference set out in this Regulation, is on state aid providers.

**16.**

The Competition Council has the right to request additional information if it finds that the data contained in the report forms of state aid are incomplete or there are inconsistencies with the data received for previous reporting periods or information received from other sources.

**17.** If the providers do not have definitive data on the amount of state aid they will send estimates, indicating that specifically.

**18.** Errors, corrections, cancellations, recalculations, recoveries or reimbursements established by state aid providers are reported to the Competition Council within the time stipulated in point 12 of the present Regulation.

### **Section 3**

#### **State aid Register**

**19.** In accordance with article 19 of Law No. 139 of 15.06.2012 on State aid, the Competition Council shall establish and maintain the register of state aid granted in the Republic of Moldova, based on the reporting forms, information and data submitted by the state aid providers.

**20.** State aid register is kept in electronic form in the state language.

**21.** Registrars or person empowered to exercise control over keeping the State aid Register shall be appointed by the Order of the president of Competition Council.

**22.** State aid register is updated regularly with information on new aid schemes and individual new aid granted.

**23.** State aid Register shall include in particular the following information:

a) state aid providers;

b) legal basis (legislative act, piece of legislation or legal) for the granting of state aid;

c) period of state aid providing;

- d) state aid measures (aid scheme or individual aid);;
- e) categories of state aid under Article 5 Para (1) of Law No. 139 of 15.06.2012 on State aid;;
- f) the form of state aid granting in accordance with Article 6 Para (2) of Law No. 139 of 15.06.2012 on State aid;
- g) beneficiaries and the amount of state aid;
- h) activity sector of beneficiaries;
- i) annual volume of state aid
- j) sources from which have been granted state aid (budget central / local, other);
- k) decision of approval of the Plenum of Competition Council;
- l) and other information if it is appropriate.

**24.** Information from the state aid Register is provided on request to other third parties with the permission of the President of the Competition Council within 15 days.

**25.** Information from the state aid Register is used to prepare the annual report on state aid.

#### **Section 4**

##### **Final provisions**

**26.** State aid providers, until August 17, 2014, will submit to the Competition Council report forms on existing state aid on August 16, 2013, and granted from 1 January 2013-16 August 2013, as well as two previous years.

**27.** With derogation from point 12 of this Regulation, reporting form of state aid granted between August 17, 2013 - December 31, 2013 will be present together with the report of state aid for 2014, until 31 March 2015.

**28.** The provisions of this Regulation shall be applied with observance of the provisions of the Competition Law no.183 of 11 July 2012, Law No. 139 of 15.06.2012 on State aid in accordance with the regulations adopted by the Competition Council.

**FORM**  
**on reporting of state aid granted in year \_\_\_\_\_**

Aid provider

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Fax

\_\_\_\_\_  
IDNP

\_\_\_\_\_  
Contact

\_\_\_\_\_  
E- mail

*Fill each one sheet for each state aid scheme, individual aid granted under schemes and individual aid granted outside of a scheme (ad hoc), mentioning the duration of the scheme according to the permit or under the normative act in which was established scheme. It includes all aid granted to the Republic of Moldova, with the exception of aid granted in agricultural sector.*

*Providers or responsible authorities as appropriate complement for the reporting period reporting form on granted aid and corrections noted for the last two consecutive years.*

*Where, in a piece of legislation is promoted more state aid schemes, make each a sheet for each scheme. If in this piece of legislation, which promotes state aid scheme are stipulated state aids with different ways of granting, then fulfill one sheet for each aid of them.*

**1. Title**

\_\_\_\_\_  
*(Title of aid scheme includes a summary description of it. Title includes individual aid, including the name of the beneficiary .)*

**2. Legal basis**

\_\_\_\_\_

*(The legal basis includes both administrative and enactment by which was granted state aid, as well as documents containing provisions for its implementation. Indicate the acts by which it was renewed, extended or altered, and normative acts which specific allocations were made under a scheme of State aid, if applicable.)*

### **3. Number aid**

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*(Indicate number of the decision of authorization issued by the Competition Council. Mention and any other decisions / information previously issued by the Competition Council on this aid.)*

### **4. Category aid**

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*(Indicate, if applicable, if there is an authorized or unauthorized aid.)*

### **5. Period during which state aid is granted under this measure**

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*(Indicate the start and at the end of aid granting.)*

### **6. Objectives of State aid granting**

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- Principal \_\_\_\_\_
  - Secondary \_\_\_\_\_

*(Objectives state aids are provided for in Article 5 Para (1) of Law No. 139 of 15.06.2012 on State aid. For establishment and codification of objective are taken into consideration the following:*

- ◆ *The main objective act envisages motivation of adoption normative / administrative act which initiated aid scheme or concerned individual aid. If state aid aims regional development, it is always considered principal objective.*
- ◆ *The secondary objective is that additional primary objective was considered in the authorization / when can be considered authorized. For example, if a scheme whose primary objective is aid for research and development, there may be, as a secondary objective, aid to small and medium-sized enterprises (whether aid is exclusively for small and medium-sized enterprises).*

*In case of primary and secondary objectives are mentioned necessarily, and their classification codes set out in Annex 2 of this Regulation.*

### **7. Region**

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*(At the time of authorization / when can be considered authorized aid can be directed exclusively to a region / group of regions. Indicate these areas, as appropriate.)*

## **8. Origin of state aid**

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*(To specify the origin of state aid or grant from the state budget of social security and medical state of local budgets – district, municipality, town, commune – or from other sources.)*

## **9. Form of state aid granting**

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*(Indicate how (tool) for granting state aid in accordance with article 6 of Law No. 139 of 15.06.2012 on State aid.)*

## **10. Description form of state aid granting**

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*(Please specify the form of aid granting used. Specify the form in which aid is provided to the beneficiary. Example, if concessional loans are provided including details on how to guarantee the loan. If tax incentives state whether they are tax deductible, reducing the tax base, tax rate reduction, postponement of tax payment. Guarantees the data is also provided on the loan or other financial transaction covered by the guarantee, the security required and the first payment.)*

## **11. Type of state aid**

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*(Indicate if there is a State aid scheme, individual aid granted under a scheme or individual aid granted outside of a scheme.)*

## **12. Conditions for granting**

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*(Indicate the conditions, criteria, limits, etc. of aid granting. If in case of state aid schemes are mentioned specific conditions for the allocation to economic agents beneficiaries of State aid as provided for in the legal basis for state aid measure in the decision of the Plenum of the Competition Council.)*

### 13. Beneficiaries and amount of state aid

No.	Beneficiaries of state aid						Value of state aid- mii, lei, from which		
	Name	IDNO	locality	Municipality district	kind of activity CEAM	Type of enterprise (SME / large)	the year reporting (t)	in year t-1	in year t-2
0	1	2	3	4	5	6	7	8	9
TOTAL:									

*(Columns 1-5 specify all beneficiaries of aid. Specified for each beneficiary the sector for activity in accordance with Classification of economic activities in Moldova (CEAM), the code CEAM – 4 digits, where they operate. If State aid is granted for other activity than the basic one, specify the activity for which it was granted.*

- *Column 6 is fulfilled form of beneficiary: large enterprise or SME.*
- *Column 7 is written amounts received as state aid in that year without adding previous years.*
- *In columns 8 and 9 are written amounts received as state aid granted in previous years, with any corrections.*

*If it is not possible to submit final data, reported estimated values . In this case, states that are submitted the estimated values .*

### 14. The mode of determining the amount of state aid

*(Provide the information used to determine the amount of State aid, such as reference prices, the interest rate for loans with preferential interest, state the guarantee scheme, the penalties for exemptions from taxes, etc., And, when appropriate formulas. amounts specified for each of the forms in which it was granted.*

*In the case of loans and guarantees shall mention the total value of loans and guarantees granted annually.)*

### 15. Comments

*(Submit comments on the progress of state aid granting (state aid schemes or individual aid granted in installments) and mentions if authorization decisions issued by the Competition Council Plenum are complied. Indicate any other comments on the State aid granted.)*

**Classification and codification objectives of state aid:**

<b>Classification code objectives</b>	<b>Name of objective</b>
<b>1</b>	<b>Horizontal Objectives</b>
1.1	Research and development
1.2	Innovation
1.3	Environment protection
1.4	Small and medium-sized enterprises
1.5	Trade, Export
1.6	Saving energy, energy efficiency
1.7	Salvation
1.8	Restructuring
1.9	Closing
1.10	Employment
1.11	Professional Training
1.12	Venture Capital
1.13	Services of general economic interest
1.14	Other horizontal objectives
<b>2</b>	<b>Sectoral Objectives ( sensitive sectors )</b>
2.1	Steel
2.2	Shipbuilding
2.3	Synthetic fibers
2.4	Auto
2.5	Other manufacturing sectors
2.6	Coal: Aid to current production
2.7	Coal : other aids
2.8	Transportation, of which:
2.8.1	rail
2.8.2	aviation
2.9	Tourism
2.10	Financial Services
2.11	Other sectoral objectives
<b>3</b>	<b>Regional Aids</b>
3.1	Areas for which they were developed national regional development programs , other than disadvantaged areas
3.2	Disadvantaged areas
<b>4</b>	<b>Culture and heritage conservation promotion</b>
<b>5</b>	<b>Aid to remedy serious disturbances in the economy</b>
<b>6</b>	<b>State aid with social character</b>
<b>7</b>	<b>State aid to eliminate effects caused by natural disasters</b>