

## II

*(Non-legislative acts)*

## REGULATIONS

## COMMISSION REGULATION (EU) No 832/2010

of 17 September 2010

**amending Regulation (EC) No 1828/2006 setting out rules for the implementation of Council Regulation (EC) No 1083/2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and of Regulation (EC) No 1080/2006 of the European Parliament and of the Council on the European Regional Development Fund**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1083/2006 of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1260/1999 <sup>(1)</sup>, and in particular Articles 44, 66(3) and 76(4) thereof,

Having regard to Regulation (EC) No 1080/2006 of the European Parliament and of the Council of 5 July 2006 on the European Regional Development Fund and repealing Regulation (EC) No 1783/1999 <sup>(2)</sup>, and in particular the second subparagraph of Article 7(2) thereof,

Whereas:

- (1) Regulation (EC) No 1083/2006, as amended by Regulation (EU) No 539/2010 of the European Parliament and of the Council <sup>(3)</sup>, simplifies and clarifies certain requirements as regards major projects, financial engineering instruments and reporting on financial progress of operational programmes. It is therefore necessary to align the provisions of Commission Regulation (EC) No 1828/2006 <sup>(4)</sup> with Regulation (EC) No 1083/2006 as amended.
- (2) Regulation (EC) No 1080/2006, as amended by Regulation (EU) No 437/2010 <sup>(5)</sup> provides for eligibility of housing interventions in favour of marginalised

communities. It is therefore necessary to align the provisions of Commission Regulation (EC) No 1828/2006 with Regulation (EC) No 1080/2006 as amended.

- (3) It is necessary to clarify that the implementation of financial engineering also covers funds or other incentive schemes for energy efficiency and use of renewable energy in buildings, including existing housing.
- (4) It is necessary to define the conditions for eligible housing interventions in favour of marginalised communities in the context of an integrated approach, with particular regard to the desegregation measures.
- (5) In order to facilitate the provision of data by Member States and the processing of data by the Commission, it is necessary to simplify the requirements on financial information to be provided in the annual and final reports on the implementation of an operational programme.
- (6) The threshold for projects to be considered major projects has been raised to EUR 50 million. In order to ensure appropriate monitoring of environmental projects with total investment costs between EUR 25 and 50 million, it is necessary to provide for an obligation to include information on those projects in the annual and final reports on implementation of an operational programme.
- (7) Regulation (EC) No 1083/2006 now allows a major project to cover more than one operational programme. It is therefore necessary to update the type of structured data to be provided on major projects and to update the forms for requests for assistance for major projects.

<sup>(1)</sup> OJ L 210, 31.7.2006, p. 25.

<sup>(2)</sup> OJ L 210, 31.7.2006, p. 1.

<sup>(3)</sup> OJ L 158, 24.6.2010, p. 1.

<sup>(4)</sup> OJ L 371, 27.12.2006, p. 1.

<sup>(5)</sup> OJ L 132, 29.5.2010, p. 1.

- (8) Regulation (EC) No 1828/2006 should therefore be amended accordingly.
- (9) For reasons of coherence it is appropriate that the amendments to Regulation (EC) No 1828/2006 apply from the same date as Regulation (EU) No 539/2010 and Regulation (EU) No 437/2010.
- (10) It is necessary that all the advantages to beneficiaries which result from Regulation (EU) No 539/2010 and Regulation (EU) No 437/2010 apply as soon as possible. Therefore, this Regulation should enter into force as a matter of urgency.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Coordination Committee of the Funds,

HAS ADOPTED THIS REGULATION:

#### Article 1

Regulation (EC) No 1828/2006 is amended as follows:

- (1) Article 43 is amended as follows:

- (a) paragraph 1 is replaced by the following:

‘1. Articles 43 to 46 shall apply to financial engineering instruments in the form of actions which make repayable investments, or provide guarantees for repayable investments, or both, in the following:

- (a) enterprises, primarily small and medium-sized enterprises (SMEs), including micro-enterprises, as defined in Commission Recommendation 2003/361/EC (\*) as of 1 January 2005;
- (b) public-private partnerships or other urban projects included in integrated plans for sustainable urban development, in the case of urban development funds;
- (c) funds or other incentive schemes for energy efficiency and use of renewable energy in buildings, including in existing housing.

(\*) OJ L 124, 20.5.2003, p. 36.’

- (b) paragraph 6 is replaced by the following:

‘6. Enterprises, public private partnerships and other projects included in an integrated plan for sustainable urban development, as well as operations for energy

efficiency and use of renewable energy in buildings, including in existing housing which are supported by financial engineering instruments, may also receive a grant or other assistance from an operational programme.’

- (2) In Article 44, paragraph 1 is amended as follows:

- (a) point (a) is replaced by the following:

‘(a) as regards financial engineering instruments supporting enterprises, primarily SMEs, including micro-enterprises, the conclusions of an evaluation of gaps between supply of such instruments, and demand for such instruments;’

- (b) the following point (c) is added:

‘(c) as regards funds or other incentive schemes for energy efficiency and use of renewable energy in buildings, including in existing housing the relevant Union and national regulatory frameworks and the relevant national strategies.’

- (3) Article 45 is amended as follows:

- (a) the title is replaced by the following:

**‘Additional provisions applicable to financial engineering instruments for enterprises’**

- (b) the first paragraph is replaced by the following:

‘Financial engineering instruments for enterprises referred to in Article 43(1)(a) shall invest only at the establishment, in the early stages, including seed capital, or on expansion of those enterprises, and only in activities which the managers of the financial engineering instruments judge potentially economically viable.’

- (4) In Article 47, paragraph 2 is replaced by the following:

‘2. Having regard to Article 7(2) of Regulation (EC) No 1080/2006, expenditure for housing in favour of marginalized communities shall be eligible only if the following conditions are fulfilled:

- (a) such housing investment is part of an integrated approach and support for housing interventions for marginalized communities takes place together with other types of interventions including interventions in the areas of education, health, social inclusion and employment;

(b) the physical location of such housing ensures spatial integration of these communities into mainstream society and does not contribute to segregation, isolation and exclusion.'

(5) Annex XVIII is amended in accordance with Annex I to this Regulation.

(6) Annexes XX, XXI and XXII are replaced by the text set out in Annex II to this Regulation.

#### Article 2

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Union*.

It shall apply from 25 June 2010.

However, point (4) of Article 1 shall apply from 18 June 2010.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 17 September 2010.

*For the Commission*

*The President*

José Manuel BARROSO

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## ANNEX I

Annex XVIII is amended as follows:

(1) Point 2.1.2 is replaced by the following:

‘2.1.2. *Financial information (all financial data should be expressed in euro)*

	Total funding of the operational programme (Union and national)	Basis for calculating Union contribution (Public or Total cost)	Total amount of certified eligible expenditure paid by beneficiaries <sup>(1)</sup>	Corresponding public contribution <sup>(1)</sup>	Implementation rate In %
	a	b	c	d	e = c/a if T or e = d/a if P
<p><i>Priority axis 1</i></p> <p>Specify the Fund</p> <p>— of which ESF type expenditure <sup>(2)</sup></p> <p>— of which ERDF type expenditure <sup>(2)</sup></p> <p>— Expenditure for regions not receiving transitional support <sup>(3)</sup></p> <p>— Expenditure for regions receiving transitional support <sup>(3)</sup></p>	N.A.				N.A.
<p><i>Priority axis 2</i></p> <p>Specify the Fund</p> <p>— of which ESF type expenditure</p> <p>— of which ERDF type expenditure</p> <p>— Expenditure for regions not receiving transitional support</p> <p>— Expenditure for regions receiving transitional support</p>	N.A.				N.A.
<p><i>Priority axis ...</i></p> <p>Specify the Fund</p> <p>— of which ESF type expenditure</p> <p>— of which ERDF type expenditure</p> <p>— Expenditure for regions not receiving transitional support</p> <p>— Expenditure for regions receiving transitional support</p>	N.A.				N.A.

<b>Grand total</b>					
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(<sup>1</sup>) Figures expressed in cumulative terms.

(<sup>2</sup>) This field shall be completed only in the case of the final report on implementation where the operational programme is co-financed by the ERDF or the ESF where use is made of the option under Article 34(2) of Regulation (EC) No 1083/2006.

(<sup>3</sup>) This field shall be completed only in the case of the final report on implementation where the operational programme includes support to transitional and non-transitional regions.

For operational programmes receiving a contribution of the ERDF under the specific allocation for outermost regions: the breakdown of the expenditure between operational costs and investments in infrastructures.'

(2) The following point 5a is inserted:

'5a. ERDF/CF PROGRAMMES: ENVIRONMENTAL PROJECTS WITH TOTAL INVESTMENT COSTS EQUAL TO OR HIGHER THAN EUR 25 MILLION AND EQUAL TO OR LOWER THAN EUR 50 MILLION (IF APPLICABLE)

For ongoing projects:

- Progress in the implementation of different stages of projects.
- Progress in the financing of projects.

For completed projects:

- List of completed projects, including the date of completion, total final investment costs, including the sources of financing, and key output and result indicators, including, where relevant, the core indicators.'

## ANNEX II

## ‘ANNEX XX

## MAJOR PROJECT STRUCTURED DATA TO BE ENCODED

Major project key details	Infrastructure application form	Productive investment application form	Type of data
Project name	B.1.1	B.1.1	Text
Name of company	n.a.	B.1.2	Text
SME	n.a.	B.1.3	Y/N
Priority theme dimension	B.2.1	B.2.1	Code(s)
Form of finance dimension	B.2.2	B.2.2	Code
Territorial dimension	B.2.3	B.2.3	Code
Economic activity dimension	B.2.4	B.2.4	Code(s)
NACE code	B.2.4.1	B.2.4.1	Code(s)
Nature of the investment	n.a.	B.2.4.2	Code
Location dimension(s)	B.2.5	B.2.5	Code(s)
Fund(s)	B.3.4	B.3.3	ERDF/CF
Priority Axis or Priority Axes	B.3.4	B.3.4	Text
PPP	B.4.2.d	n.a.	Y/N
Construction phase — Start date	D.1.8A	D.1.5A	Date
Construction phase — Completion date	D.1.8B	D.1.5B	Date
Reference period	E.1.2.1	E.1.2.1	Years
Financial discount rate	E.1.2.2	E.1.2.2	%
Total investment cost	E.1.2.3	E.1.2.3	EUR
Total investment cost (present value)	E.1.2.4	n.a.	EUR
Residual value	E.1.2.5	n.a.	EUR
Residual value (present value)	E.1.2.6	n.a.	EUR
Revenues (present value)	E.1.2.7	n.a.	EUR
Operating cost (present value)	E.1.2.8	n.a.	EUR
Net revenue (present value)	E.1.2.9	n.a.	EUR
Eligible expenditure (present value)	E.1.2.10	n.a.	EUR
Estimated increase in annual turnover	n.a.	E.1.2.4	EUR
% change in turnover per person employed	n.a.	E.1.2.5	%
Financial rate of return (without Union grant)	E.1.3.1A	E.1.3.1A	%
Financial rate of return (with Union grant)	E.1.3.1B	E.1.3.1B	%

Major project key details		Infrastructure application form	Productive investment application form	Type of data
Financial net present value (without Union grant)		E.1.3.2A	E.1.3.2A	EUR
Financial net present value (with Union grant)		E.1.3.2B	E.1.3.2B	EUR
Eligible costs		H.1.12C	H.1.10C	EUR
Decision amount		H.2.1.3	H.2.1.1	EUR
Union grant		H.2.1.5	H.2.1.3	EUR
Expenditure already certified	Total amount in EUR: Amount in each operational programme in EUR:	H.2.3	H.2.3	EUR
Economic costs and benefits		E.2.2	E.2.2	Text/EUR
Social discount rate		E.2.3.1	E.2.3.1	%
Economic rate of return		E.2.3.2	E.2.3.2	%
Economic net present value		E.2.3.3	E.2.3.3	EUR
Benefit/Cost ratio		E.2.3.4	E.2.3.4	Number
Number of jobs directly created during implementation phase		E.2.4.1A	E.2.4 a) 1A	Number
Average duration of jobs directly created during implementation phase		E.2.4.1B	E.2.4 a) 1B	Months/permanent
Number of jobs directly created during operational phase		E.2.4.2A	E.2.4 a) 2A	Number
Average duration of jobs directly created during operational phase		E.2.4.2B	E.2.4 a) 2B	Months/permanent
Number of jobs indirectly created during operational phase		n.a.	E.2.4 a) 4A	Number
Inter regional employment impact		n.a.	E.2.4 c)	Neg/Neut/Pos
EIA class of development		F.3.2.1	F.3.2.1	I/II/Not covered
EIA carried out if class II		F.3.2.3	F.3.2.3	Y/N
% of cost to compensate for negative environmental impacts		F.6	F.6	%
Other Union sources (EIB/EIF)		I.1.3	I.1.3	Y/N
Involvement of Jaspers		I.4.1	I.4.1	Y/N
Core indicators (please choose relevant core indicator from a drop down list available in the electronic system):		B.4.2B	n.a.	Number

## ANNEX XXI

**MAJOR PROJECT  
REQUEST FOR CONFIRMATION OF ASSISTANCE UNDER ARTICLES 39 TO 41 OF REGULATION (EC) No 1083/2006**

EUROPEAN REGIONAL DEVELOPMENT FUND/COHESION FUND

**INFRASTRUCTURE INVESTMENT**

[Project title]

CCI No [.....]

**A. ADDRESSES AND REFERENCES**

**A.1. Authority responsible for the application (i.e., managing authority or intermediate body). In case of major project co-financed by more than one Operational Programme, the responsible authorities of each Operational Programme concerned shall be mentioned.**

A.1.1. *Name:*

A.1.2. *Address:*

A.1.3. *Contact:*

A.1.4. *Telephone:*

A.1.5. *Telex/Fax:*

A.1.6. *E-mail:*

**A.2. Organisation, or organisations in case of major project co-financed by more than one Operational Programme, responsible for project implementation (beneficiary)**

A.2.1. *Name:*

A.2.2. *Address:*

A.2.3. *Contact:*

A.2.4. *Telephone:*

A.2.5. *Telex/Fax:*

A.2.6. *E-mail:*

**B. PROJECT DETAILS**

**B.1. Title of project/project phase:**

**B.2. Categorisation of project activity <sup>(1)</sup>**

	<i>Code</i>	<i>Percentage</i>
B.2.1. <i>Code for the priority theme dimension</i>	<input style="width: 100%; height: 20px;" type="text"/>	<input style="width: 100%; height: 20px;" type="text"/>
	<input style="width: 100%; height: 20px;" type="text"/>	<input style="width: 100%; height: 20px;" type="text"/>
B.2.2. <i>Code for the form of finance dimension</i>	<input style="width: 100%; height: 20px;" type="text"/>	
B.2.3. <i>Code for the territorial dimension</i>	<input style="width: 100%; height: 20px;" type="text"/>	
B.2.4. <i>Code for the economic activity dimension <sup>(2)</sup></i>	<input style="width: 100%; height: 20px;" type="text"/>	<input style="width: 100%; height: 20px;" type="text"/>
B.2.4.1. <i>NACE Code <sup>(3)</sup></i>	<input style="width: 100%; height: 20px;" type="text"/>	
B.2.5. <i>Code for the location dimension(s) (NUTS/LAU) <sup>(4)</sup></i>	<input style="width: 100%; height: 20px;" type="text"/>	

<sup>(1)</sup> Annex II to Regulation (EC) No 1828/2006 unless otherwise specified.

<sup>(2)</sup> Where a project involves more than one economic activity, multiple codes may be indicated. In that case the percentage share for each code should be indicated with the total not exceeding 100 %.

<sup>(3)</sup> NACE-Rev.2, 4 digit code: Regulation (EC) No 1893/2006 of the European Parliament and of the Council (OJ L 393, 30.12.2006, p. 1).

<sup>(4)</sup> Regulation (EC) No 1059/2003 of the European Parliament and of the Council (OJ L 154, 21.6.2003, p. 1). Use the most detailed and relevant NUTS code. Where a project affect multiple individual NUTS/LAU 2 level areas, consider encoding the NUTS/LAU1 or higher codes.



**B.3. Compatibility and coherence with the Operational Programme(s)**

B.3.1. *Title of the related Operational Programme(s):*

B.3.2. *Common Code for Identification (CCI) No of Operational Programme(s)*

B.3.3. *Fund*

In case of major project co-financed by more than one Operational Programme, specify the Fund for each Operational Programme separately.

ERDF ☐

Cohesion Fund ☐

B.3.4. *Title of the priority axis or priority axes in case of major project co-financed by more than one Operational Programme*

**B.4. Project description**

B.4.1. *Project (or project phase) description:*

(a) Provide a description of the project (or project phase).

(b) Where the project is a phase of an overall project, provide a description of the proposed stages of implementation (explaining whether they are technically and financially independent). In case of major project co-financed by more than one Operational Programme indicate the parts falling under each Operational Programme or pro-rata allocation.

(c) What criteria have been used to determine the division of the project into phases?

B.4.2. *Technical description of the investment in infrastructure*

(a) Describe the proposed infrastructure and the work for which assistance is being proposed specifying its main characteristics and component elements.

(b) In respect of the work involved, identify and quantify the key output indicators and, where relevant, the core indicators to be used:

(c) Main beneficiaries of the infrastructure (i.e. target population served, quantified where possible):

(d) Is the construction of the infrastructure to be delivered through a public-private partnership (PPP)?

Yes ☐

No ☐

If yes, describe the form of the PPP (i.e., selection process for private partner, structure of PPP, infrastructure ownership arrangements, risk allocation arrangements, etc.):

Give details of how the infrastructure is to be managed after the project is completed (i.e., public management, concession, other form of PPP).

(e) Does the project form part of a Trans-European Network agreed at Union level?

Yes ☐

No ☐

**B.5. Project objectives**

**B.5.1. Current infrastructure endowment and impact of the project**

Indicate the extent to which the region(s) is/are at present endowed with the type of infrastructure covered by this application; compare it with the level of infrastructure endowment aimed for by target year 20.. (i.e., according to the relevant strategy or national/regional plans, where applicable). Indicate the foreseeable contribution of the project to the strategy/plan objectives. Specify potential bottlenecks or other problems to be resolved.

**B.5.2. Socio-economic objectives**

Indicate the project's socio-economic objectives and targets.

**B.5.3. Contribution to the achievement of the Operational Programme(s)**

Describe how the project contributes to the achievement of the priorities of the Operational Programme(s) (provide quantified indicators per operational programme where possible).

**C. RESULTS OF FEASIBILITY STUDIES**

**C.1. Provide a summary of the main conclusions of the feasibility studies conducted**

Give precise references if ERDF, Cohesion Fund, ISPA or other Union assistance is/was involved in the financing of the feasibility studies.

**C.1.1. Demand analysis**

Provide a summary of the demand analysis, including the predicted utilisation rate on completion and the demand growth rate.

**C.1.2. Options considered**

Outline the alternative options considered in the feasibility studies.

**D. TIMETABLE****D.1. Project timetable**

Give below the timetable for the development of the overall project.

Where the application concerns a project stage, clearly indicate in the table the elements of the overall project for which assistance is being sought by this application:

	Start date (A) dd/mm/yyyy	Completion date (B) dd/mm/yyyy
1. Feasibility studies:		
2. Cost-benefit analysis (including financial analysis):		
3. Environmental impact assessment:		
4. Design studies:		
5. Preparation of Tender documentation:		
6. Expected launch of tender procedure(s) (*):		
7. Land acquisition:		
8. Construction phase/contract:		
9. Operational phase:		

(\*) Specify for each tender

Please attach a summary schedule of the main categories of works (i.e., a Gantt chart, where available).

**D.2. Project maturity**

Describe the project timetable (D.1) in terms of the technical and financial progress and current maturity of the project under the following headings:

**D.2.1. Technical (feasibility studies, etc.):**

**D.2.2. Administrative (authorisations, EIA, land purchase, invitations to tender, etc.):**

**D.2.3. Financial (commitment decisions in respect of national public expenditure, loans requested or granted, etc. - give references):**

**D.2.4. If the project has already started, indicate the current state of works:**

**E. COST-BENEFIT ANALYSIS**

*This section should be based on the Guidelines on the methodology for carrying out the cost-benefit-analysis of major projects. In addition to the summary elements to be provided, the full cost-benefit analysis document shall be provided in support of this application as Annex II.*

**E.1. Financial analysis**

*The key elements from the financial analysis of the CBA should be summarised below.*

E.1.1. *Short description of methodology and specific assumptions made*

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E.1.2. *Main elements and parameters used in the CBA for financial analysis*

Main elements and parameters	Value Not discounted	Value Discounted (Net Present Value)
1. Reference period (years)		
2. Financial discount rate (%) <sup>(1)</sup>		
3. Total investment cost excluding contingencies (in euro, not discounted) <sup>(2)</sup>		
4. Total investment cost (in euro, discounted)		
5. Residual value (in euro, not discounted)		
6. Residual value (in euro, discounted)		
7. Revenues (in euro, discounted)		
8. Operating costs (in euro, discounted)		
<b>Funding gap calculation <sup>(3)</sup></b>		
9. Net revenue = revenues – operating costs + residual value (in euro, discounted) = (7) – (8) + (6)		
10. Investment cost – net revenue (in euro, discounted) = (4) – (9) (Article 55(2))		
11. Funding gap rate (%) = (10) / (4)		

<sup>(1)</sup> Specify if the rate is real or nominal. If the financial analysis is conducted in constant prices, a financial discount rate expressed in real terms shall be used. If the analysis is conducted in current prices, a discount rate in nominal terms shall be used.

<sup>(2)</sup> Investment cost should here exclude contingencies in accordance with working document number 4.

<sup>(3)</sup> This does not apply: 1) for projects subject to the rules on State aids in the meaning of Article 107 of the Treaty (see point G.1), pursuant to Article 55(6) of Regulation (EC) No 1083/2006 and 2) if operating costs are higher than revenues the project is not considered as revenue generating in the sense of Article 55 of Regulation (EC) No 1083/2006, in which case, ignore items 9 and 10 and set funding gap to 100 %.

Where VAT is recoverable, the costs and revenues should be based on figures excluding VAT.

E.1.3. *Main results of the financial analysis*

	Without Union assistance (FRR/C) A		Without Union assistance (FRR/K) B <sup>(1)</sup>	
1. Financial rate of return (%)		FRR/C		FRR/K
2. Net present value (euro)		FNPV/C		FNPV/K

<sup>(1)</sup> For the calculation of the project profitability without ('/C') and with ('/K') Union assistance, refer to the guidance provided by the Commission in line with Article 40 of Regulation (EC) No 1083/2006.

E.1.4. *Revenues generated over its lifetime*

If the project is expected to generate revenues through tariffs or charges borne by users, please give details of charges (types and level of charges, principle or Union legislation on the basis of which the charges have been established).

(a) Do the charges cover the operational costs and depreciation of the project?

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(b) Do the charges differ between the various users of the infrastructure?

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(c) Are the charges proportional

(i) To the use of the project/real consumption?

(ii) To the pollution generated by users?

If no tariffs or charges are proposed, how will operating and maintenance costs be covered?

## E.2. Socio-economic analysis

E.2.1. Provide a short description of methodology (key assumptions made in valuing costs and benefits) and the main findings of the socio-economic analysis:

E.2.2. Give details of main economic costs and benefits identified in the analysis together with values assigned to them:

Benefit	Unit value (where applicable)	Total value (in euro, discounted)	% of total benefits
...	...	...	...
Cost	Unit value (where applicable)	Total value (in euro, discounted)	% of total costs
...	...	...	...

E.2.3. Main indicators of the economic analysis

Main parameters and indicators	Values
1. Social discount rate (%)	
2. Economic rate of return (%)	
3. Economic net present value (in euro)	
4. Benefit-cost ratio	

E.2.4. Employment effects of project

Provide an indication of the number of jobs to be created (expressed in terms of full-time equivalents (FTE)).

Number of jobs directly created:	No (FTE) (A)	Average duration of these jobs (months) <sup>(1)</sup> (B)
1. During implementation phase		
2. During operational phase		

<sup>(1)</sup> In case of permanent jobs, instead of duration in months, type 'permanent'.

[NB: indirect jobs created or lost are not sought for public infrastructure investments.]

E.2.5. *Identify the main non-quantifiable/non valuable benefits and costs:*

**E.3. Risk and sensitivity analysis**

E.3.1. *Short description of methodology and summary results*

E.3.2. *Sensitivity analysis*

State the percentage change applied to the variables tested: .....

Present the estimated effect on results of financial and economic performance indexes.

Variable tested	Financial Rate of Return variation	Financial Net Present Value variation	Economic Rate of Return variation	Economic Net Present Value variation

Which variables were identified as critical variables? State which criterion is applied.

Which are the switching values of the critical variables?

E.3.3. *Risk analysis*

Describe the probability distribution estimate of the project's financial and economic performance indexes. Provide relevant statistical information (expected values, standard deviation).

**F. ANALYSIS OF THE ENVIRONMENTAL IMPACT**

F.1. **How does the project:**

- (a) contribute to the objective of environmental sustainability (European climate change policy, halting loss of biodiversity, other ...);
- (b) respect the principles of preventive action and that environmental damage should as a priority be rectified at source;
- (c) respect the 'polluter pays' principle.

F.2. **Consultation of environmental authorities**

Have the environmental authorities likely to be concerned by the project been consulted by reason of their specific responsibilities?

Yes ☐

No ☐

If yes, please give name(s) and address(es) and explain that authority's responsibility:

If no, please give reasons:

**F.3. Environmental Impact Assessment****F.3.1. Development consent <sup>(5)</sup>**

F.3.1.1. Has development consent already been given to this project?

Yes ☐

No ☐

F.3.1.2. If yes, on which date

F.3.1.3. If no, when was the formal request for the development consent introduced:

F.3.1.4. By which date is the final decision expected?

F.3.1.5. Specify the competent authority or authorities, which has given or will give the development consent.

**F.3.2. Application of Council Directive 85/337/EEC on Environmental Impact Assessment (EIA) <sup>(6)</sup>**

F.3.2.1. Is the project a class of development covered by:

☐ Annex I to that Directive (go to question F.3.2.2)

☐ Annex II to that Directive (go to question F.3.2.3)

☐ Neither of the two annexes (go to question F.3.3)

F.3.2.2. When covered by Annex I to that Directive, include the following documents:

(a) the information referred to in Article 9(1) of that Directive;

(b) the non-technical summary <sup>(7)</sup> of the Environmental Impact Study carried out for the project;

(c) information on consultations with environmental authorities, the public concerned and, if applicable, with other Member States.

F.3.2.3. When covered by Annex II to that Directive, has an Environmental Impact Assessment been carried out for this project?

☐ Yes

in which case, include the necessary documents listed under point F.3.2.2

☐ No

in which case, explain the reasons and give the thresholds, criteria or case by case examination carried out to reach the conclusion that the project has no significant environmental effects:

**F.3.3. Application of the Strategic Environmental Assessment Directive 2001/42/EC of the European Parliament and of the Council <sup>(8)</sup> (SEA-Directive)**

<sup>(5)</sup> The decision of the competent (national) authority or authorities which entitles the developer to proceed with the project. In cases where the project submitted is part of a wider operation, the development consent should refer only to the project submitted to the Commission. In cases where more than one development consent decisions are required, please repeat the information as many times as necessary.

<sup>(6)</sup> OJ L 175, 5.7.1985, p. 40.

<sup>(7)</sup> Prepared under Article 5(3) of Directive 85/337/EEC.

<sup>(8)</sup> OJ L 197, 21.7.2001, p. 30.

F.3.3.1. Does the project result from a plan or programme falling within the scope of the SEA Directive?

☐ No in which case please provide a short explanation:

☐ Yes in which case, in order to appreciate if wider potential cumulative effects of the project have been addressed, please provide either an internet link to or an electronic copy of the non-technical summary <sup>(9)</sup> of the Environmental Report carried out for the plan or programme.

**F.4. Assessment of effects on NATURA 2000 Sites**

F.4.1. *Is the project likely to have significant negative effects on sites included or intended to be included in the NATURA 2000 network?*

☐ Yes in which case

(1) Please provide a summary of the conclusions of the appropriate assessment carried out according to Article 6(3) of Council Directive 92/43/EEC <sup>(10)</sup>.

(2) In case, compensation measures were deemed necessary according to Article 6(4), please provide a copy of the form 'Information on projects likely to have significant negative effect on NATURA 2000 sites, as notified to the Commission (DG Environment) under Directive 92/43/EEC <sup>(11)</sup>'.

☐ No in which case attach a completed Appendix I declaration filled in by the relevant authority.

**F.5. Additional environmental integration measures**

Does the project envisage, apart from Environmental Impact Assessment, any additional environmental integration measures (e.g. environmental audit, environmental management, specific environmental monitoring)?

Yes ☐

No ☐

If yes, specify

**F.6. Cost of measures taken for correcting negative environmental impacts**

If included in total cost, estimate proportion of cost of measures taken to reduce and/or to compensate for negative environmental impacts

%

Explain briefly:

**F.7. In case of projects in the areas of water, waste water and solid waste:**

Explain whether the project is consistent with a sectoral/integrated plan and programme associated with the implementation of Union policy or legislation <sup>(12)</sup> in those areas:

<sup>(9)</sup> Prepared under Annex I (j) to Directive 2001/42/EC.

<sup>(10)</sup> OJ L 206, 22.7.1992, p. 7.

<sup>(11)</sup> Document 99/7 rev. 2 adopted by the Habitats Committee (established under Directive 92/43/EEC) at its meeting on 4 October 1999.

<sup>(12)</sup> In particular, Directive 2000/60/EC of the European Parliament and of the Council (Water Framework Directive) (OJ L 327, 22.12.2000, p. 1) Council Directive 1991/271/EC (Urban Waste Water Treatment Directive) (OJ L 135, 30.5.1991, p. 40), Article 7 of Directive 2006/12/EC of the European Parliament and of the Council (Waste Framework Directive) (OJ L 114, 27.4.2006, p. 9), Council Directive 1999/31/EC (Landfill of Waste Directive) (OJ L 182, 16.7.1999, p. 1).



**G. JUSTIFICATION FOR THE PUBLIC CONTRIBUTION****G.1. Competition**

Does this project involve State Aids?

Yes ☐

No ☐

If yes, please give in the table below the amount of aid, and, for approved aid the state aid number and the reference of the approval letter, for block-exempted aid the respective registry number, and for pending notified aid the state aid number <sup>(13)</sup>.

Sources of aid (local, regional, national and Union):	Amount of aid euro	State Aid number/ registry number for block-exempted aid	Reference of approval letter
Approved aid schemes, approved ad hoc aid, or aid falling under a block exemption regulation: ..... .....			
Aid foreseen under pending notifications (ad hoc aid or schemes): ..... .....			
Aid for which a notification is outstanding (ad hoc aid or schemes) ..... .....			
Total aid granted:			
Total cost of the investment project			

**G.2. Impact of Union assistance on project implementation**

For each affirmative answer, give details:

Will Union assistance:

a) accelerate implementation of the project?

Yes ☐

No ☐

b) be essential to implementation of the project?

Yes ☐

No ☐

**H. FINANCING PLAN**

The decision amount and other financial information in this section must be coherent with the basis (total or public cost) for the co-financing rate of the priority axis. Where private expenditure is not eligible for financing under the priority axis it shall be excluded from the eligible costs; where private expenditure is eligible it may be included.

<sup>(13)</sup> This application does not replace notification to the Commission under Article 108(3) of the Treaty. A positive decision by the Commission on the major project under Regulation (EC) No 1083/2006 does not constitute state aid approval.

## H.1. Cost breakdown

Euro	Total Project costs (A)	Ineligible costs <sup>(1)</sup> (B)	eligible costs (C) = (A) - (B)
1. Planning/design fees			
2. Land purchase			
3. Building and construction			
4. Plant and machinery			
5. Contingencies <sup>(2)</sup>			
6. Price adjustment (if applicable) <sup>(3)</sup>			
7. Technical assistance			
8. Publicity			
9. Supervision during construction implementation			
10. Sub-Total			
11. (VAT <sup>(4)</sup> )			
12. Total	<sup>(5)</sup>		

<sup>(1)</sup> Ineligible costs comprise (i) expenditure outside the eligibility period, (ii) expenditure ineligible under national rules (Article 56(4) of Regulation (EC) No 1083/2006), (iii) other expenditure not presented for co-financing. NB: The starting date for eligibility of expenditure is the date of receipt of the draft operational programme by the Commission or 1 January 2007, whichever is the earlier.

<sup>(2)</sup> Contingencies should not exceed 10 % of total investment cost net of contingencies. These contingencies may be included in the total eligible costs used to calculate the planned contribution of the funds – Section H2.

<sup>(3)</sup> A price adjustment may be included, where relevant, to cover expected inflation where the eligible cost values are in constant prices.

<sup>(4)</sup> Where VAT is considered as eligible, give reasons.

<sup>(5)</sup> Total cost must include all costs incurred for the project, from planning to supervision and must include VAT even if VAT is considered non-eligible

## H.2. Total planned resources and planned contribution from the Funds

The funding gap rate was already presented under Section E.1.2. This should be applied to the eligible cost to calculate the 'amount to which the co-financing rate for the priority axis applies' (Article 41(2) of Council Regulation (EC) No 1083/2006). This is then multiplied by the co-financing rate of the priority axis to determine the Union contribution.

## H.2.1. Union contribution calculation

	Value
1. Eligible cost (in euro, not discounted) (Section H.1.12(C))	
2. Funding gap rate (%), if applicable = (E.1.2.11)	
3. Decision amount, i.e. the 'amount to which the co-financing rate for the priority axis or priority axes <sup>(1)</sup> applies' (Article 41(2)) = (1)*(2). If H.2.1.2 not applicable, the decision amount must respect the maximum public contribution according to state aid rules	
3.1. In case of major project co-financed by more than one Operational Programme, indicate the share of the Decision amount corresponding to each Operational Programme	
4. Co-financing rate of the priority axis or priority axes <sup>(1)</sup> (%)	
5. Union contribution (in euro) = (3)*(4)	
<sup>(1)</sup> In case of major project co-financed by more than one Operational Programme.	

**H.2.2 Sources of co-financing**

In the light of the results of the financing gap calculation (where relevant) the total investment costs of the project shall be met from the following sources:

Source of total investment costs (€)					Of which (for information)
Total investment cost [H.1.12.(A)]	Union assistance [H.2.1.5]	National public (or equivalent)	National private	Other sources (specify)	EIB/EIF loans:
(a) = (b)+(c)+(d)+(e)	(b)	(c)	(d)	(e)	(f)

**H.2.3. Expenditure already certified**

Have expenditure for this major project been already certified?

Yes ☐ No ☐

If yes, state the amount: ..... EUR.

If yes and in case of major project co-financed by more than one Operational Programme, under which Operational Programmes have the expenditure been certified?

Title of the related Operational Programme(s):

CCI number:

Amount concerned in the Operational Programme: ..... EUR

**H.3. Annual financing plan of Union contribution**

The Union contribution (H.2.1.5) shall be presented below in terms of the share of annual programme commitment. In case of major project co-financed by more than one Operational Programme, the annual financing plan shall be presented separately for each Operational Programme.

(in Euro)

	2007	2008	2009	2010	2011	2012	2013
[CF/ ERDF - specify]							

**I. COMPATIBILITY WITH UNION POLICIES AND LAW**

With regard to Article 9(5) of Regulation (EC) No 1083/2006 provide the following information:

**I.1. Other Union financing sources**

**I.1.1. Has an application been made for assistance from any other Union source (TEN-T Budget, LIFE+, R&D Framework Programme, other source of Union finance) for this project?**

Yes ☐ No ☐

If yes, please give details (financial instrument concerned, reference Nos, dates, amounts requested, amounts granted, etc.):

**I.1.2. Is this project complementary to any project already financed or to be financed by the ERDF, ESF, Cohesion Fund, TEN-T Budget, other source of Union finance?**

Yes ☐ No ☐

If yes, give details (provide precise details, reference Nos, dates, amounts requested, amounts granted, etc.):

**I.1.3. Has an application been made for loan or equity support from EIB/EIF for this project?**

Yes ☐ No ☐

If yes, please give details (financial instrument concerned, reference Nos, dates, amounts requested, amounts granted, etc.):

- I.1.4. *Has an application been made for assistance from any other Union source (including ERDF, ESF, Cohesion Fund, EIB, EIF, other sources of Union finance) for an earlier phase of this project (including feasibility and preparatory phases)?*

Yes ☐No ☐

If yes, please give details (financial instrument concerned, reference Nos, dates, amounts requested, amounts granted, etc.):

- I.2. **Is the project subject to a legal procedure for non-compliance with Union legislation?**

Yes ☐No ☐

If yes, please give details:

- I.3. **Publicity measures**

Give details of the proposed measures to publicise Union assistance (for example, type of measure, brief description, estimated costs, duration, etc.):

- I.4. **Involvement of JASPERS in project preparation**

- I.4.1. *Has JASPERS technical assistance contributed to any part of the preparation of this project?*

Yes ☐No ☐

- I.4.2. *Describe the elements of the project where JASPERS had an input (e.g. environmental compliance, procurement, review of technical description).*

- I.4.3. *What were the principal conclusions and recommendations of the JASPERS contribution and were these taken into account in the finalisation of the project?*

- I.5. **Public procurement**

In cases where contracts have been advertised in the *Official Journal of the European Union*, give reference.

Contract	Date	Reference
...	...	...

- J. **ENDORSEMENT OF COMPETENT NATIONAL AUTHORITY**

I confirm that the information presented in this form is accurate and correct.

Name: .....

Signature: .....

Organisation: .....

(Managing authority and in case of major project co-financed by more than one operational programme the responsible authorities)

Date: .....

*Appendix I*

## DECLARATION BY AUTHORITY RESPONSIBLE FOR MONITORING NATURA 2000 SITES

Responsible Authority .....

Having examined the project application .....

Which is to be located at .....

Declares that the project is not likely to have significant effects on a *NATURA 2000* site on the following grounds:

--

Therefore an appropriate assessment required by Article 6(3) was not deemed necessary.

A map at scale of 1:100.000 (or the nearest possible scale) is attached, indicating the location of the project as well as the *NATURA 2000* sites concerned, if any.

Date (dd/mm/yyyy): .....

Signed: .....

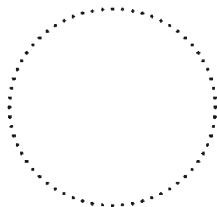
Name: .....

Position: .....

Organisation: .....

(Authority responsible for monitoring *NATURA 2000* sites)

Official Seal:



## ANNEX XXII

**MAJOR PROJECT  
REQUEST FOR CONFIRMATION OF ASSISTANCE UNDER ARTICLES 39 TO 41 OF REGULATION (EC) NO 1083/2006**

EUROPEAN REGIONAL DEVELOPMENT FUND/COHESION FUND

PRODUCTIVE INVESTMENT

[Project title]

CCI No [.....]

**A. ADDRESSES AND REFERENCES**

**A.1. Authority responsible for the application (i.e., managing authority or intermediate body). In case of major project co-financed by more than one Operational Programme, the responsible authorities of each Operational Programme concerned shall be mentioned.**

A.1.1. *Name:*A.1.2. *Address:*A.1.3. *Contact:*A.1.4. *Telephone:*A.1.5. *Telex/Fax:*A.1.6. *E-mail:*

**A.2. Organisation, or organisations in case of major project co-financed by more than one Operational Programme, responsible for project implementation (beneficiary)**

A.2.1. *Name:*A.2.2. *Address:*A.2.3. *Contact:*A.2.4. *Telephone:*A.2.5. *Telex/Fax:*A.2.6. *E-mail:***B. PROJECT DETAILS****B.1. Description of the project**B.1.1. *Name of the project/project phase:*B.1.2. *Name of the undertaking:*B.1.3. *Is the undertaking an SME <sup>(1)</sup>?*Yes ☐No ☐B.1.4. *Turnover:*

value million euro

B.1.5. *Total number of persons employed: value*B.1.6. *Group structure:*

Are 25 % or more of the capital or voting rights of the undertaking owned by one enterprise or a group of enterprises falling outside the definition of an SME?

Yes ☐No ☐

Indicate the name and describe the group structure.

<sup>(1)</sup> Commission Recommendation 2003/361/EC (OJ L 124, 20.5.2003, p. 36).

**B.2. Categorisation of project activity <sup>(2)</sup>**

	Code	Percentage
B.2.1. Code for the priority theme dimension <sup>(3)</sup>	<input type="text"/>	<input type="text"/>
B.2.2. Code for the form of finance dimension	<input type="text"/>	<input type="text"/>
B.2.3. Code for the territorial dimension	<input type="text"/>	
B.2.4. Code for the economic activity dimension	<input type="text"/>	<input type="text"/>
	<input type="text"/>	<input type="text"/>
B.2.4.1. NACE Code <sup>(4)</sup>	<input type="text"/>	
B.2.4.2. Nature of the investment <sup>(5)</sup>	<input type="text"/>	
B.2.4.3. Product concerned <sup>(6)</sup>	<input type="text"/>	
B.2.5. Code for the location dimension(s) (NUTS/LAU) <sup>(7)</sup>	<input type="text"/>	

**B.3. Compatibility and coherence with the Operational Programme(s)**

B.3.1. Title of the related Operational Programme(s):

B.3.2. Common Code for Identification (CCI) No of Operational Programme(s)

**B.3.3. Fund**

In case of major project co-financed by more than one Operational Programme, specify the Fund for each Operational Programme separately.

ERDF ☐Cohesion Fund ☐

B.3.4. Title of the priority axis or priority axes in case of major project co-financed by more than one Operational Programme:

**B.4. Project description**

B.4.1. Project (or project phase) description:

(a) Provide a description of the project (or project phase).

(b) Where the project is a phase of an overall project, provide a description of the proposed stages of implementation (explaining whether they are technically and financially independent). In case of major project co-financed by more than one Operational Programme indicate the parts falling under each Operational Programme or pro-rata allocation.

(c) What criteria have been used to determine the division of the project into phases?

<sup>(2)</sup> Annex II to this Regulation unless otherwise specified.

<sup>(3)</sup> Where a project involves more than one economic activity, multiple codes may be indicated. In that case, the percentage share for each code should be indicated with the total not exceeding 100%.

<sup>(4)</sup> NACE-Rev. 2, 4 digit code: Regulation (EC) No 1893/2006.

<sup>(5)</sup> New construction = 1; extension = 2; conversion/modernisation = 3; change of locality = 4; creation by take-over = 5.

<sup>(6)</sup> Combined Nomenclature (CN), Council Regulation (EEC) No 2658/87 (OJ L 256, 7.9.1987, p. 1).

<sup>(7)</sup> Regulation (EC) No 1059/2003. Use the most detailed and relevant NUTS code. Where a project affects more than three individual Nuts – Lau 2 level areas, consider encoding the NUTS/LAU1 or higher codes.

**B.4.2. Technical description of the productive investment**

Fully describe:

- (a) The work involved, specifying its main characteristics and component elements (use quantified indicators where possible).

- (b) The establishment, main activities and main elements of the financial structure of the enterprise.

- (c) The objectives of the investment and main aspects of the new construction, extension, conversion/modernisation, change of locality, creation by take-over covering the investment.

- (d) Describe the production technology and equipment.

- (e) Describe the products.

**B.5. Project objectives****B.5.1. Current infrastructure endowment and impact of the project**

Indicate the extent to which the region(s) is/are at present endowed with the type of production facilities or activities covered by this application. Indicate the foreseeable contribution of the project:

**B.5.2. Contribution to the achievement of the Operational Programme(s)**

Indicate how the project contributes to the achievement of the priorities of the Operational Programme(s) (provided quantified indicators per operational programme where possible).

**C. RESULTS OF FEASIBILITY STUDIES****C.1. Provide a summary of the main conclusions of the feasibility studies (or business plan) conducted****C.1.1. Demand analysis****C.1.1.1. Describe the target markets, broken down, where appropriate, by Member State and, separately, by third countries considered as a whole:****C.1.1.2. Provide a summary of the demand analysis including the demand growth rate broken down, where appropriate, by Member State and, separately, by third countries considered as a whole:**



C.1.2. *Capacity considerations*

C.1.2.1. Capacity of the firm before investment (in units per year):

C.1.2.2. Reference date:

C.1.2.3. Capacity after investment (in units per year):

C.1.2.4. Estimate the capacity utilisation rate:

D. **TIMETABLE**D.1. **Project timetable**

Give below the timetable for the development of the overall project.

Where the application concerns a project stage clearly indicate in the table the elements of the overall project for which assistance is being sought by this application:

	Start date (A) dd/mm/yyyy	Completion date (B) dd/mm/yyyy
1. Feasibility study/Business plan:		
2. Cost-benefit analysis:		
3. Environmental impact assessment:		
4. Land acquisition:		
5. Construction phase:		
6. Operational phase:		

Please attach a summary schedule of the main categories of works (i.e., a Gantt chart, where available).

D.2. **Project maturity**

Describe the project timetable (D.1) in terms of the technical and financial progress and current maturity of the project under the following headings:

D.2.1. *Technical (feasibility studies, etc.);*

D.2.2. *Administrative (authorisations, EIA, land purchase, etc.);*

D.2.3. *Financial (commitment decisions in respect of national public expenditure, loans requested or granted, etc. - give references)*

D.2.4. *If the project has already started, indicate the current state of works:*

E. **COST-BENEFIT ANALYSIS**

*This section should be based on the Guidelines on the methodology for carrying out the cost-benefit analysis of major projects. In addition to the summary elements to be provided below the full cost-benefit analysis document shall be provided in support of this application as Annex II.*

**E.1. Financial analysis**

*The key elements from the financial analysis of the CBA should be summarised below.*

**E.1.1. Short description of methodology and specific assumptions made**

--

**E.1.2. Main elements and parameters used in the CBA for financial analysis**

Main elements and parameters taken into account in calculation of expected profitability	
1. Reference period (years)	
2. Financial discount rate (%)	
3. Total investment cost (in euro)	
4. Estimated increase in annual turnover realised by this investment (in euro)	
5. % change in turnover per person employed (only in the case of expansion of an activity)	

**E.1.3. Main results of the financial analysis**

	Without Union assistance (FRR/C) A		With Union assistance (FRR/K) B <sup>(1)</sup>	
1. Financial rate of return: (%)		FRR/C		FRR/K
2. Net present value (euro)		FNPV/C		FNPV/K

<sup>(1)</sup> For the calculation of the project profitability without ("C") and with ("K") Union assistance, refer to guidance provided by the Commission in line with Article 40 of Regulation (EC) No 1083/2006.

**E.2. Socio-economic analysis****E.2.1. Provide a short description of methodology (key assumptions made in valuing costs and benefits) and the main findings of the socio-economic analysis:**

--

**E.2.2. Please give details of main economic costs and benefits identified in the analysis together with values assigned to them:**

Benefit	Unit value (where applicable)	Total value (in euro, discounted)	% of total benefits
...	...	...	...
Cost	Unit value (where applicable)	Total value (in euro, discounted)	% of total costs
...	...	...	...

E.2.3. *Main indicators of the economic analysis*

Main parameters and indicators	Values
1. Social discount rate (%)	
2. Economic rate of return (%)	
3. Economic net present value (in euro)	
4. Benefit-cost ratio	

E.2.4. *Employment effects of project*

(a) Provide an indication of the number of jobs to be created (expressed in terms of full-time equivalents (FTE))

	No (FTE) (A)	Average duration of these jobs (months) <sup>(1)</sup> (B)
<i>No of jobs directly created:</i>		
1. During implementation phase		
2. During operational phase		
<i>No of jobs indirectly created</i>		
3. During implementation phase		
4. During operational phase		

<sup>(1)</sup> In case of permanent jobs, instead of duration in months, type "permanent".

(b) Jobs safeguarded

Estimate the number of jobs (full time equivalents) that would be lost if the investment is not realised:

Explain the reasons:

(c) Inter-regional employment impact

What impact is the project expected to have on employment in other regions of the Union?

Give details:

E.2.5. *Identify the main non-quantifiable/non-valuable benefits and costs:*

E.3. **Risk and sensitivity analysis**E.3.1. *Short description of methodology and summary results*

**E.3.2. Sensitivity analysis**

State the percentage change applied to the variables tested: .....

Present the estimated effect on results of financial and economic performance indexes.

Variable tested	Financial Rate or Return variation	Financial Net Present Value variation	Economic Rate or Return variation	Economic Net Present Value variation

Which variables were identified as critical variables? State which criterion is applied.

Which are the switching values of the critical variables?

**E.3.3. Risk analysis**

Describe the probability distribution estimate of the project's financial and economic performance indexes. Provide relevant statistical information (expected values, standard deviation).

**F. ANALYSIS OF THE ENVIRONMENTAL IMPACT****F.1. How does the project:**

- (a) contribute to the objective of environmental sustainability (European climate change policy, halting loss of biodiversity, other ...);
- (b) respect the principles of preventive action and that environmental damage should as a priority be rectified at source;
- (c) respect the "polluter pays" principle.

**F.2. Consultation of environmental authorities**

Have the environmental authorities likely to be concerned by the project been consulted by reason of their specific responsibilities?

Yes ☐ No ☐

If yes, please give name(s) and address(es) and explain that authority's responsibility:

If no, please give reasons

**F.3. Environmental Impact Assessment****F.3.1. Development Consent <sup>(8)</sup>**

F.3.1.1. Has development consent already been given to this project?

Yes ☐ No ☐

F.3.1.2. If yes, on which date

F.3.1.3. If no, when was the formal request for the development consent introduced:

F.3.1.4. By which date is the final decision expected?

F.3.1.5. Specify the competent authority or authorities, which has given or will give the development consent

**F.3.2. Application of Council Directive 85/337/EEC on environmental impact assessment (EIA) <sup>(9)</sup>**

F.3.2.1. Is the project a class of development covered by:

- ☐ Annex I to that Directive (go to question F.3.2.2)
- ☐ Annex II to that Directive (go to question F.3.2.3)
- ☐ Neither of the two annexes (go to question F.3.3)

F.3.2.2. When covered by Annex I to that Directive, include the following documents:

- (a) The information referred to in Article 9(1) of that Directive
- (b) The non-technical summary <sup>(10)</sup> of the Environmental Impact Study carried out for the project;
- (c) Information on consultations with environmental authorities, the public concerned and, if applicable, with other Member States.

F.3.2.3. When covered by Annex II to that Directive, has an Environmental Impact Assessment been carried out for this project?

☐ Yes

in which case include the necessary documents listed under point F.3.2.2

☐ No

in which case explain the reasons and give the thresholds, criteria or case by case examination carried out to reach the conclusion that the project has no significant environmental effects:

**F.3.3. Application of the Strategic Environmental Assessment Directive 2001/42/EC of the European Parliament and of the Council <sup>(11)</sup> (SEA-Directive)**

<sup>(8)</sup> The decision of the competent (national) authority or authorities which entitles the developer to proceed with the project. In cases where the project submitted is part of a wider operation, the development consent should refer only to the project as submitted to the Commission. In cases where more than one development consent decisions are required, please repeat the information as many times as necessary.

<sup>(9)</sup> OJ L 175, 5.7.1985, p. 40.

<sup>(10)</sup> Prepared under Article 5(3) of Directive 85/337/EEC.

<sup>(11)</sup> OJ L 197, 21.7.2001, p. 30.

F.3.3.1. Does the project result from a plan or programme falling within the scope of the SEA Directive?

☐ No in which case please provide a short explanation:

☐ Yes in which case, in order to appreciate if wider potential cumulative effects of the project have been addressed, please provide either an internet link to or an electronic copy of the non-technical summary<sup>(12)</sup> of the Environmental Report carried out for the plan or programme.

**F.4. Assessment of effects on NATURA 2000 sites**

F.4.1. *Is the project likely to have significant negative effects on sites included or intended to be included in the NATURA 2000 network?*

☐ Yes in which case

(1) Please provide a summary of the conclusions of the appropriate assessment carried out according to Article 6(3) of Directive 92/43/EEC<sup>(13)</sup>

(2) In case, compensation measures were deemed necessary according to Article 6(4), please provide a copy of the form "Information on projects likely to have significant negative effect on NATURA 2000 sites, as notified to the Commission (DG Environment) under Directive 92/43/EEC"<sup>(14)</sup>

☐ No in which case attach a completed Appendix I declaration filled in by the relevant authority.

**F.5. Additional environmental integration measures**

Does the project envisage, apart from Environmental Impact Assessment, any additional environmental integration measures (e.g. environmental audit, environmental management, specific environmental monitoring)?

Yes ☐ No ☐

If yes, specify

**F.6. Cost of measures taken for correcting negative environmental impacts**

If included in total cost, estimate proportion of cost of measures taken to reduce and/or to compensate for negative environmental impacts

%

Explain briefly:

**G. JUSTIFICATION FOR THE PUBLIC CONTRIBUTION**

**G.1. Competition**

Does this project involve State Aids?

Yes ☐ No ☐

<sup>(12)</sup> Prepared under Annex I(j) to Directive 2001/42/EC.

<sup>(13)</sup> OJ L 206, 22.7.1992, p. 7.

<sup>(14)</sup> Document 99/7 rev. 2 adopted by the Habitats Committee (established under Directive 92/43/EEC) at its meeting on 4 October 1999.

If yes, please give in the table below the amount of aid, and, for approved aid the State aid number and the reference of the approval letter, for block-exempted aid the respective registry number, and for pending notified aid the State aid number <sup>(15)</sup>

Sources of aid (local, regional, national and Union):	Amount of aid euro	State Aid number/registry number for block-exempted aid	Reference of approval letter
Approved aid schemes, approved ad hoc aid, or aid falling under a block exemption regulation: ..... .....			
Aid foreseen under pending notifications (ad hoc aid or schemes): ..... .....			
Aid for which a notification is outstanding (ad hoc aid or schemes) ..... .....			
Total aid granted:			
Total cost of the investment project			

## G.2. Impact of Union assistance on project implementation

For each affirmative answer, give details:

Will Union assistance:

a) accelerate implementation of the project?

Yes ☐ No ☐

b) be essential to implementation of the project?

Yes ☐ No ☐

## H. FINANCING PLAN

The decision amount and other financial information in this section must be coherent with the basis (total or public cost) for the co-financing rate of the priority axis. Where private expenditure is not eligible for financing under the priority axis, it shall be excluded from the eligible costs; where private expenditure is eligible it may be included.

<sup>(15)</sup> This application does not replace notification to the Commission under Article 108(3) of the Treaty. A positive decision by the Commission on the major project under Regulation (EC) No 1083/2006 does not constitute State aid approval.

H.1. **Cost breakdown**

	Euro		
	Total project costs (A)	Ineligible costs <sup>(1)</sup> (B)	Eligible costs (C) = (A) - (B)
1. Planning/design fees			
2. Land purchase			
3. Building and construction			
4. Plant and machinery			
5. Contingencies <sup>(2)</sup>			
6. Publicity			
7. Supervision during construction implementation			
8. Sub-Total			
9. (VAT <sup>(3)</sup> )			
10. Total	( <sup>(4)</sup> )		

<sup>(1)</sup> Ineligible costs comprise (i) expenditure outside the eligibility period, (ii) expenditure ineligible under national rules (Article 56(4) of Regulation (EC) No 1083/2006), (iii) other expenditure not presented for co-financing. NB: The starting date for eligibility of expenditure is the date of receipt of the related draft Operational Programme by the Commission or 1 January 2007, whichever is the earlier.

<sup>(2)</sup> Contingencies should not exceed 10% of total investment cost net of contingencies. These contingencies may be included in the total costs used to calculate the financial contribution of the funds.

<sup>(3)</sup> Where VAT is considered as eligible, give reasons.

<sup>(4)</sup> Total cost must include all costs incurred for the project, from planning to supervision and must include VAT even if VAT is considered non eligible.

H.2. **Total planned resources and planned contribution from the Funds**H.2.1. *Union contribution calculation*

	Value
1. Decision amount, i.e., the "amount to which the co-financing rate for the priority axis or priority axes <sup>(1)</sup> applies" (Article 41(2) of Regulation (EC) No 1083/2006) (respecting the maximum public contribution according to state aid rules and the exclusion of ineligible expenditure)	
1.1 In case of major project co-financed by more than one Operational Programme, indicate the share of the Decision amount corresponding to each Operational Programme	
2. Co-financing rate of the priority axis or priority axes <sup>(1)</sup> (%)	
3. Union contribution (in euro) = (1)*(2)	

<sup>(1)</sup> In case of major project co-financed by more than one Operational Programme.

H.2.2. *Sources of co-financing*

In the light of the results of the grant calculation (H.2.1 consistent with the rules on State aid) the total investment costs of the project shall be met from the following sources:

Source of total investment costs (€)					Of which (For Information)
Total investment cost [H.1.10.(A)]	Union assistance [H.2.1.3]	National public (or equivalent)	National private	Other sources (specify)	EIB/EIF loans
(a) = (b) + (c) + (d) + (e)	(b)	(c)	(d)	(e)	(f)



**H.2.3. Expenditure already certified**

Has expenditure for this major project been already certified?

Yes ☐

No ☐

If yes, state the amount: ..... EUR.

If yes and in case of major project co-financed by more than one Operational Programme, under which Operational Programmes have the expenditure been certified?

Title of the related Operational Programme(s):

CCI number:

Amount concerned in the Operational Programme: ..... EUR

**H.3. Annual financing plan of Union contribution**

The Union contribution (H.2.1.3) shall be presented in terms of the share of annual programme commitment. In case of major project co-financed by more than one Operational Programme, the annual financing plan shall be presented separately for each Operational Programme.

(in Euro)

	2007	2008	2009	2010	2011	2012	2013
[CF/ERDF - specify]							

**I. COMPATIBILITY WITH UNION POLICIES AND LAW**

With regard to Article 9(5) of Regulation (EC) No 1083/2006 provide the following information:

**I.1. Other Union financing sources**

I.1.1. Has an application been made for assistance from any other Union source (TEN-T Budget, LIFE+, R&D Framework Programme, other source of Union finance) for this project?

Yes ☐

No ☐

If yes, please give details (financial instrument concerned, reference Nos, dates, amounts requested, amounts granted, etc.):

I.1.2. Is this project complementary to any project already financed or to be financed by the ERDF, ESF, Cohesion Fund, TEN-T Budget, other source of Union finance?

Yes ☐

No ☐

If yes, give details (provide precise details, reference Nos, dates, amounts requested, amounts granted, etc.):

I.1.3. Has an application been made for loan or equity support from EIB/EIF for this project?

Yes ☐

No ☐

If yes, please give details (financial instrument concerned, reference Nos, dates, amounts requested, amounts granted, etc.):

I.1.4. Has an application been made for assistance from any other Union source (including ERDF, ESF, Cohesion Fund, EIB, EIF, other sources of Union finance) for an earlier phase of this project (including feasibility and preparatory phases)?

Yes ☐

No ☐

If yes, please give details (financial instrument concerned, reference Nos, dates, amounts requested, amounts granted, etc.):

**I.2. Is the project subject to a legal procedure for non-compliance with Union legislation?**Yes ☐No ☐

If yes, please give details:

**I.3. Publicity measures**

Give details of the proposed measures to publicise Union financial assistance (i.e. type of measure, brief description, estimated costs, duration, etc.):

**I.4. Involvement of JASPERS in project preparation****I.4.1. Has JASPERS technical assistance contributed to any part of the preparation of this project?**Yes ☐No ☐**I.4.2. Describe the elements of the project where JASPERS had an input (e.g. environmental compliance, procurement, review of technical description).****I.4.3. What were the principal conclusions and recommendations of the JASPERS contribution and were these taken into account in the finalisation of the project?****I.5. Previous history of the recovery of assistance**Has the benefiting undertaking previously been, or is it currently, the subject of a procedure <sup>(16)</sup> to recover Union assistance following the transfer of a productive activity within a Member State or toward another Member State?Yes ☐No ☐**J. ENDORSEMENT OF COMPETENT NATIONAL AUTHORITY**

I confirm that the information presented in this form is accurate and correct.

Name: .....

Signature: .....

Organisation: .....

(Managing authority and in case of major project co-financed by more than one operational programme the responsible authorities)

Date: .....

<sup>(16)</sup> Under Article 57(3) of Regulation (EC) No 1083/2006.

*Appendix I*DECLARATION BY AUTHORITY RESPONSIBLE FOR MONITORING  
NATURA 2000 SITES

Responsible Authority .....

Having examined the project application .....

Which is to be located at .....

Declares that the project is not likely to have significant effects on a *NATURA 2000* site on the following grounds:

--

Therefore an appropriate assessment required by Article 6(3) was not deemed necessary.

A map at scale of 1:100.000 (or the nearest possible scale) is attached, indicating the location of the project as well as the *NATURA 2000* sites concerned, if any.

Date (dd/mm/yyyy): .....

Signed: .....

Name: .....

Position: .....

Organisation: .....

(Authority responsible for monitoring *NATURA 2000* sites)

Official Seal: '

