

Industri 2050 (Industry 2050 programme)

State aid Reference no.: GBER 36/2024/ENV

Contents

i.	Description of the aid measure.....	2
1.	State.....	2
2.	Aid granting Authority	2
3.	Objective of the aid programme and eligible activities	2
4.	Scope of the programme	2
5.	Legal Basis.....	2
ii.	Compliance with the general rules in GBER (art.1-12)	3
6.	Aid Category and Definitions	3
7.	Notification thresholds, duration of the Programme and total budget for aid under the Programme	3
8.	Transparency of aid.....	4
9.	Incentive effect of the aid.....	4
10.	Aid Intensity and eligible costs	4
11.	Cumulation	5
12.	Publication and Information.....	5
13.	Reporting and Monitoring.....	6
iii.	Compliance with Chapter 3 GBER	6
14.	Aid for research and development and innovation	6
	Aid under article 25 GBER	6
15.	Aid for environmental protection.....	7
	Aid under article 36 GBER	7
	Aid under article 38 GBER	12
	Aid under article 41 GBER	14
	Aid under Article 49 GBER.....	16

The following programme provides the legal cover for award of support in line with the General Block Exemption Regulation. The programme does not provide any additional funding or budget.

i. Description of the aid measure

1. State

Norway

2. Aid granting Authority

Enova SF¹ is the authorized body to implement the Programme.

3. Objective of the aid programme and eligible activities

The Industri 2050 programme (hereby the Programme) is a framework for distributing several individual grants of state aid and aims at speeding up the technology development and uptake of innovations that can contribute to reduction of emissions in the field of industrial applications.

Eligible for aid under the Programme will be innovative projects aiming at:

1. The reduced use of fossil energy carriers
2. Reduction of greenhouse gas emissions from production processes
3. Capture of CO₂ emissions, including buffer storage² and transport of captured CO₂ emissions
4. Environmentally friendly investments

4. Scope of the programme

The Programme is open to large undertakings and SMEs that are registered in the Norwegian Register of Business Enterprises³. The projects receiving aid under the Programme must be realized in Norway or within the Norwegian economic zone.

5. Legal Basis

The national legal basis for Enova SF as aid grantor is:

- Parliamentary Decision of 5 April 2001⁴ on the basis of a proposition by the Ministry of Petroleum and Energy of 21 December 2000⁵ The Parliamentary Decision amends the Energy Act of 29 June 1990 No 50 (Energiloven)
- the Agreement⁶ (Avtalen) between Enova and the Ministry of Climate and Environment⁷, on the management of the funds derived from Enova's budget.

¹ <https://www.enova.no/about-enova/>

² Intermediate storage pending permanent storage or utilisation of CO₂

³ <https://www.brreg.no/en/>

⁴ Odelstingets vedtak til lov om endringer i lov 29. juni 1990 nr. 50 om produksjon, omforming, overføring, omsetning og fordeling av energi m.m. (energilova). (Besl.O.nr.75 (2000-2001), jf. Innst.O.nr.59 (2000-2001) og Ot.prp.nr.35 (2000-2001)).

⁵ Ot.prp.nr.35 (2000-2001)

⁶ The agreement can be found in: <https://www.enova.no/om-enova/om-organisasjonen/oppdragsbrev-og-avtaler/>

⁷ On the 1st May 2018 the ownership of Enova (and the Agreement) was transferred from the Ministry of Oil and Energy to the Ministry of Climate and Environment. Reference is made to the letter of assignment (Oppdrags brev 2019) of Enova's ownership. https://www.regjeringen.no/contentassets/051d75e38a4743c3a29f2bb169a4443d/enova_2019.pdf

The following programme provides the legal cover for award of support in line with the General Block Exemption Regulation. The programme does not provide any additional funding or budget.

Aid granted under this Programme will comply with Commission Regulation (EU) No 651/2014⁸, declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (General Block Exemption Regulation or GBER), and the following articles: GBER 25, 36, 38, 41 and 49.

The national legal basis for aid granted under this Programme⁹ is the programme specific regulations found in the programme criteria for **Industri 2050** (*Programkriterier Industri 2050*¹⁰) and the present document¹¹ describing the Programme's compliance under Commission Regulation (EU) No 651/2014.

In order to ensure compliance with the Commission Regulation (EU) No 651/2014 (GBER), aid under the Programme must fulfil the relevant requirements set in GBER in chapters I, II and III.

ii. Compliance with the general rules in GBER (art.1-12)

6. Aid Category and Definitions

Aid under the Programme falls under the following categories of aid in line with article 1 of GBER:

- Aid for environmental protection (art. 1(c) GBER)
- Aid for research and development and innovation (art. 1(d) GBER)

For the purpose of the Programme the definitions laid down in Chapter 1 Article 2 of the General Block Exemption Regulation (GBER) are applied by Enova SF.

Aid under the Programme will be compliant with the scope of application of the GBER as described in the paragraphs of article 1 GBER.

Aid will not be granted to undertakings that are in difficulty or subject to a pending recovery order in line with article 1 §4(a) - (c) and article 2 §18 of GBER.

7. Notification thresholds, duration of the Programme and total budget for aid under the Programme

In line with article 4 GBER, aid under the Programme shall not exceed the following thresholds (also in cases when it is cumulated with other aid, ref. article 8 GBER):

In the case of aid for research and development:

- if the project is predominantly industrial research: EUR 35 million per undertaking, per project; that is the case where more than half of the eligible costs of the project are incurred through activities which fall within the category of industrial research or within the categories of industrial research and fundamental research taken together;

⁸ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02014R0651-20230701>

⁹ As a rule, Enova's programmes are authorized by Enova's board, before being published on Enova's website.

¹⁰ <https://www.enova.no/bedrift/industri-og-anlegg/industri-2050/>

¹¹ <https://www.enova.no/om-enova/drift/rettslig-grunnlag-for-enovas-stotteordninger/>

The following programme provides the legal cover for award of support in line with the General Block Exemption Regulation. The programme does not provide any additional funding or budget.

- if the project is predominantly experimental development: EUR 25 million per undertaking, per project; that is the case where more than half of the eligible costs of the project are incurred through activities which fall within the category of experimental development;
- aid for feasibility studies in preparation for research activities: EUR 8,25 million per study;

In the case of investment aid for environmental protection, unless otherwise specified: EUR 30 million per undertaking per investment project;

In the case of aid for dedicated infrastructure and storage (referred to in Article 36(4)): EUR 25 million per project;

The thresholds set out or referred to above shall not be circumvented by artificially splitting up the aid schemes or aid projects.

The Programme will run from February 2nd 2023 until December 31st 2027.

The annual budget for the Programme is estimated to maximum 1 650 MNOK.

Should the budget for the Programme increase Enova will inform the EFTA Surveillance Authority.

8. Transparency of aid

All aid awarded under the Programme will be transparent and in line with criteria set out in Article 5 of the GBER.

Aid under the Programme may be awarded by way of grants.

9. Incentive effect of the aid

The Programme concerns aid that has an incentive effect, in line with the criteria set out in article 6 of the GBER.

Aid recipients must demonstrate that the aid is required for projects to proceed by submitting a written application before work on the project or activity has started. The application will as a minimum contain the following information (Art 6 GBER):

- (a) Name and size of the undertaking receiving the aid;
- (b) Description of the project, including its start and end dates;
- (c) Location of the project;
- (d) List of project costs;
- (e) Type of aid (for example grant) and amount of public funding needed for the project

10. Aid Intensity and eligible costs

In line with article 7 GBER, for the purposes of calculating aid intensity and eligible costs, all figures used shall be taken before any deduction of tax or other charge. Value added tax charged on eligible costs or expenses that is refundable under the applicable national tax law shall, however, not be taken into account for calculating aid intensity and eligible costs. The eligible costs shall be supported by documentary evidence which shall be clear, specific and

The following programme provides the legal cover for award of support in line with the General Block Exemption Regulation. The programme does not provide any additional funding or budget.

contemporary. Aid payable in the future, including aid payable in several instalments, shall be discounted to its value at the moment it is granted. The eligible costs shall be discounted to their value at the moment the aid is granted. The interest rate to be used for discounting purposes shall be the discount rate applicable at the moment the aid is granted.

11. Cumulation

According to article 8 of the GBER, in determining whether the notification thresholds and the maximum aid intensities are respected, the total amount of State aid for the activity or project shall be taken into account. The total amount of State aid may be comprised of local, regional, national or other funds managed and controlled by Norway as a contracting party to the EEA Agreement.

EU funding that is understood as centrally managed by the institutions, agencies, joint undertakings or other bodies of the EU and outside the direct and indirect control of Norway will not be regarded as state aid and will thus not be taken into account when determining whether notification thresholds and maximum aid intensities or maximum aid amounts are respected.

The total amount of public funding, which includes State aid and EU funding together and is granted in relation to the same eligible costs should not exceed the most favourable funding rate¹² laid down in the applicable rules of EU/EEA Law.

Aid under the Programme that is granted based on identifiable eligible costs may be cumulated with

- any other State aid, as long as those measures concern different identifiable eligible costs;
- any other State aid, in relation to the same eligible costs, partly or fully overlapping, only if such cumulation does not result in exceeding the highest aid intensity or aid amount applicable to this aid under GBER.

Aid provided under this Programme will not be cumulated with any de minimis aid in respect of the same eligible costs, if such cumulation would breach the applicable aid intensities.

In all cases, cumulation of aid under the Programme will respect the rules set out in article 8 of GBER.

12. Publication and Information

In accordance with article 9 GBER, Enova will ensure the publication on Norway's national State aid register of:

- The summary information about each aid measure exempted under GBER in the standardised format laid down in Annex II of the GBER (ref. GBER information sheet), or a link providing access to it
- The full text of each aid measure, including its amendments (ref. the Programme), or a link providing access to it

¹² The term "funding rate" is broader than "aid intensity". It refers to the ratio of the total amount of public funding (State aid and EU funding together) to the eligible costs for a specific project.

The following programme provides the legal cover for award of support in line with the General Block Exemption Regulation. The programme does not provide any additional funding or budget.

- The information referred to in Annex III of the GBER on each individual aid award exceeding EUR 100 000

In particular, the information on each individual aid award shall be organised and accessible in a standardised manner, as described Annex III, and shall allow for effective search and download functions.

All the above information shall be published within 6 months from the date the aid was granted and shall be available for at least 10 years from the date on which the aid was granted.

13. Reporting and Monitoring

Enova will follow the requirements on reporting and monitoring as they are described in articles 11 and 12 of the GBER.

Detailed records with the necessary information and supporting documentation will be maintained for 10 years from the date of the last award of aid under the Programme.

Enova will provide the EFTA Surveillance Authority with all the information and documentation it considers necessary to monitor the application of the GBER within 20 working days of such request from the Authority.

iii. Compliance with Chapter 3 GBER

The costs of the project must be transparent and directly and exclusively related to the project. The eligible costs must also be specified at the time of application.

There is no automatic entitlement to support from the Programme. All support is subject to rigorous due diligence appraisal and internal approval by Enova and all projects shall be assessed against the conditions of the Programme and the criteria set out by Enova.

14. Aid for research and development and innovation

Aid under article 25 GBER

Aid under the Programme aimed at promoting research and development will be granted in line with the conditions set out in article 25 GBER.

The aided part of the research and development project shall completely fall within one or more of the following categories:

- industrial research
- experimental development
- feasibility studies

The eligible costs allocated to the above-mentioned categories are the following:

(a) personnel costs: researchers, technicians and other supporting staff to the extent employed on the project;

(b) costs of instruments and equipment to the extent and for the period used for the project. Where such instruments and equipment are not used for their full life for the project, only the depreciation costs corresponding to the life of the project, as calculated on the basis of generally accepted accounting principles are considered as eligible.

The following programme provides the legal cover for award of support in line with the General Block Exemption Regulation. The programme does not provide any additional funding or budget.

(c) Costs for buildings and land, to the extent and for the duration period used for the project. With regard to buildings, only the depreciation costs corresponding to the life of the project, as calculated on the basis of generally accepted accounting principles are considered as eligible. For land, costs of commercial transfer or actually incurred capital costs are eligible.

(d) costs of contractual research, knowledge and patents bought or licensed from outside sources at arm's length conditions, as well as costs of consultancy and equivalent services used exclusively for the project;

(e) additional overheads and other operating expenses, including costs of materials, supplies and similar products, incurred directly as a result of the project;

The eligible costs for feasibility studies shall be the costs of the study.

The table below offers an overview of the applicable aid intensities:

Supported activity	Large Company	Medium Company	Small Company	Bonus if effective collaboration or wide dissemination of results¹³ (up to a maximum of 50%)
Industrial Research	50%	50%	50%	-
Experimental development	25%	35%	45%	15%
Feasibility Studies¹⁴	50%	50%	50%	-

15. Aid for environmental protection

Aid under the Programme aimed at promoting environmental protection will be granted in line with the conditions set out in articles 36, 38, 41 and 49 GBER.

Aid under article 36 GBER

Scope

Aid for environmental protection, including decarbonisation, will be granted in line with article 36 GBER.

No aid shall be granted to investments in equipment, machinery and industrial production facilities using fossil fuels, including those using natural gas. This is without prejudice to the possibility to grant aid for the installation of add-on components improving the level of environmental protection of existing equipment, machinery and industrial production facilities,

¹³ The results of the project are widely disseminated through conferences, publication, open access repositories, or free or opensource software.

¹⁴ The maximum amount of support for feasibility studies is limited to NOK 1 million per project.

The following programme provides the legal cover for award of support in line with the General Block Exemption Regulation. The programme does not provide any additional funding or budget.

in which case the investment shall result neither in the expansion of the production capacity nor higher consumption of fossil fuels.

Aid shall not be granted where investments are undertaken to ensure that undertakings merely comply with the Union standards in force. Aid enabling undertakings to comply with Union standards that have been adopted but not yet in force, may be granted under this Article provided that the investment for which the aid is granted is implemented and finalised at least 18 months before the date of entry into force of the standard concerned.

When the aid aims at reducing or avoiding direct emissions, the aid must not merely displace the emissions concerned from one sector to another and must overall reduce the targeted emissions; in particular, when the aid aims at reducing greenhouse gas emissions, the aid must not merely displace these emissions from one sector to another and must reduce them overall.

Article 36 shall not apply to measures for which more specific rules are laid down in GBER.

Aid under article 36 GBER may be granted for the realisation of investments in:

- **equipment and machinery using**, and **infrastructure transporting**, hydrogen to the extent that the hydrogen used or transported qualifies as renewable hydrogen
- **equipment and machinery using** hydrogen-derived fuels the energy content of which is derived from renewable sources other than biomass and that have been produced in accordance with the methodologies set out for renewable liquid and gaseous transport fuels of non-biological origin in Directive (EU) 2018/2001 and its implementing or delegated acts.
- **installations, equipment and machinery producing or using**, and **dedicated infrastructure** referred to in Article 2, point (130), last sentence, **transporting** hydrogen produced from electricity and which does not qualify as renewable hydrogen, to the extent that it can be demonstrated that the electricity-based hydrogen produced, used or transported achieves life-cycle greenhouse gas emissions savings of at least 70 % relative to a fossil fuel comparator of 94g CO₂eq/MJ. To determine the life-cycle greenhouse gas emissions savings under this subparagraph, the greenhouse gas emissions linked to the production of electricity used to produce hydrogen shall be determined by the marginal generation unit in the bidding zone where the electrolyser is located in the imbalance settlement periods when the electrolyser consumes electricity from the grid

The hydrogen in the above cases shall be used, transported or – where relevant – produced throughout the lifetime of the investment. Enova SF on behalf of the Norwegian authorities shall obtain a commitment to that effect.

To be eligible for aid for **environmental protection**, including aid for the reduction and removal of greenhouse gas emissions in line with article 36 GBER, the investment shall fulfil one of the following conditions:

(a) it shall enable the implementation of a project leading to an increase in the environmental protection of the activities of the beneficiary, beyond Union standards in force, irrespective of the presence of mandatory national standards that are more stringent than the Union standards; for projects linked to or involving dedicated infrastructure referred to in GBER

The following programme provides the legal cover for award of support in line with the General Block Exemption Regulation. The programme does not provide any additional funding or budget.

Article 2, point (130), last sentence, for hydrogen within the meaning of paragraph 1b, waste heat or CO₂ or including a connection to energy infrastructure for hydrogen within the meaning of paragraph 1b, waste heat or CO₂, the increase in the environmental protection may also result from the activities of another entity involved in the infrastructure chain;

or

(b) it shall enable the implementation of a project leading to an increase in the environmental protection of the activities of the beneficiary in the absence of Union standards; for projects linked to or involving dedicated infrastructure referred to in Article 2, point (130), last sentence, for hydrogen within the meaning of paragraph 1b, waste heat or CO₂ or including a connection to energy infrastructure for hydrogen within the meaning of paragraph 1b, waste heat or CO₂, the increase in the environmental protection may also result from the activities of another entity involved in the infrastructure chain;

or

(c) it shall enable the implementation of a project leading to an increase in the environmental protection of the activities of the beneficiary to comply with Union standards that have been adopted but are not yet in force; for projects linked to or involving dedicated infrastructure referred to in Article 2, point (130), last sentence, for hydrogen within the meaning of paragraph 1b, waste heat or CO₂ or including a connection to energy infrastructure for hydrogen within the meaning of paragraph 1b, waste heat or CO₂, the increase in the environmental protection may also result from the activities of another entity involved in the infrastructure chain.

To be eligible for aid **for CO₂ capture and transport** the investment shall fulfil the following cumulative conditions:

(a) the CO₂ capture and/or transport, including individual elements of the CCS or CCU chain, shall be integrated into a complete CCS and/or CCU chain;

(b) the net present value ('NPV') of the investment project over its lifetime shall be negative. For the purpose of calculating the project's NPV, the avoided costs of CO₂ emissions shall be taken into account;

(c) the eligible costs shall be exclusively the additional investment costs stemming from capturing the CO₂ from a CO₂-emitting installation (industrial installation or power plant) or directly from ambient air as well as from buffer storage and transportation of captured CO₂ emissions.

Eligible costs and Aid Intensity

The eligible costs shall be the extra investment costs determined by comparing the costs of the investment to those of a counterfactual scenario that would occur in the absence of the aid, as follows:

(a) where the counterfactual scenario consists in carrying out a less environmentally-friendly investment that corresponds to normal commercial practice in the sector or for the activity concerned, the eligible costs shall consist in the difference between the costs of the investment for which State aid is granted and the costs of the less environmentally-friendly investment;

The following programme provides the legal cover for award of support in line with the General Block Exemption Regulation. The programme does not provide any additional funding or budget.

(b) where the counterfactual scenario consists in carrying out the same investment at a later point in time, the eligible costs shall consist in the difference between the costs of the investment for which State aid is granted and the Net Present Value of the costs of the later investment, discounted to the point in time when the aided investment would be undertaken;

(c) where the counterfactual scenario consists in maintaining the existing installations and equipment in operation, the eligible costs shall consist in the difference between the costs of the investment for which State aid is granted and the Net Present Value of the investments in the maintenance, repair and modernisation of the existing installations and equipment, discounted to the point in time when the aided investment would be undertaken;

(d) in the case of equipment subject to leasing agreements, the eligible costs shall consist in the difference in Net Present Value between the leasing of equipment for which State aid is granted and the leasing of the less environmentally-friendly equipment that would be leased in the absence of the aid; the leasing costs shall not include costs relating to the operation of the equipment or installation (fuel costs, insurance, maintenance, other consumables), irrespective of whether they are part of the leasing contract.

In all cases, the counterfactual scenario shall correspond to an investment with comparable output capacity and lifetime that complies with Union standards already in force. The counterfactual scenario shall be credible in the light of legal requirements, market conditions and incentives generated by the EU ETS system.

The total investment costs will be eligible where aid is granted for:

- the installation of an add-on component to an already existing facility, for which there is no less environmentally-friendly counterfactual investment
- the construction of dedicated infrastructure referred to in Article 2, point (130), last sentence, for hydrogen within the meaning of paragraph 1b, waste heat or CO₂, that is necessary to enable the increase in the level of environmental protection as referred to in paragraphs 2 and 2a of article 36 GBER

The following costs are not eligible under Article 36 GBER:

- Costs for the construction or upgrade of storage facilities, with the exception of storage facilities for renewable hydrogen and hydrogen covered by paragraph 1b, second subparagraph Article 36 GBER
- Costs not directly linked to the achievement of a higher level of environmental protection

The following programme provides the legal cover for award of support in line with the General Block Exemption Regulation. The programme does not provide any additional funding or budget.

Supported activity	Aid Intensity for Large Company	Aid Intensity for Medium Company	Aid Intensity for Small Company
Investment aid for environmental protection	40% 100% if competitive bidding	50% 100% if competitive bidding	50% 100% if competitive bidding
Investment aid for environmental protection, not relying on use of biomass and resulting in a 100 % reduction of the direct greenhouse gas emissions	50% 100% if competitive bidding	50% 100% if competitive bidding	50% 100% if competitive bidding
Investment aid for CCS and/or CCU,	30% 100% if competitive bidding	40% 100% if competitive bidding	50% 100% if competitive bidding

The aid intensity may reach 100 % of the investment costs where aid is granted in a competitive bidding process, which fulfils all of the following conditions in addition to those laid down in Article 2, point (38) GBER:

- (a) the aid award shall be based on objective, clear, transparent and non-discriminatory eligibility and selection criteria, defined ex ante and published at least 6 weeks in advance of the deadline for submitting applications, to enable effective competition;
- (b) during the implementation of a scheme, in case of a bidding process where all bidders receive aid, the design of said process shall be corrected to restore effective competition in the subsequent bidding processes, for example, by reducing the budget or volume;
- (c) ex post adjustments to the bidding process outcome (such as subsequent negotiations on bid results) shall be excluded;
- (d) at least 70 % of the total selection criteria used for ranking bids and, ultimately, for allocating the aid in the competitive bidding process shall be defined in terms of aid in relation to the project's contribution to the environmental objectives of the measure, for example the aid requested per unit of environmental protection to be delivered.

Alternative determination of aid amount under Article 36 GBER

- a) An alternative to the rules determining the calculation of the eligible costs and the aid intensity described above, would be the rule that the aid amount shall not exceed the difference between the investment costs directly linked to the achievement of a higher level of environmental protection and the operating profit of the investment. The operating profit shall be deducted from the eligible costs ex ante, on the basis of reasonable projections and verified ex post through a claw-back mechanism.

The following programme provides the legal cover for award of support in line with the General Block Exemption Regulation. The programme does not provide any additional funding or budget.

- b) the eligible costs may be determined without the identification of a counterfactual scenario and in the absence of a competitive bidding process. In that case, the eligible costs shall be the investment costs directly linked to the achievement of a higher level of environmental protection and the applicable aid intensities and bonuses set out in paragraphs 5 to 8 are reduced by 50 %.

Supported activity	Aid Intensity for Large Company	Aid Intensity for Medium Company	Aid Intensity for Small Company
Investment aid for environmental protection	20%	25%	30%
Investment aid for environmental protection, not relying on use of biomass and resulting in a 100 % reduction of the direct greenhouse gas emissions	25%	30%	35%
Investment aid for CCS and/or CCU	15%	20%	25%

Aid under article 38 GBER

Scope

Aid for energy efficiency measures other than in buildings, will be granted in line with article 38 GBER.

No aid shall be granted under article 38 GBER for investments:

- undertaken to comply with Union standards that have been adopted and are in force
- in cogeneration and district heating and /or cooling
- entailing the installation of energy equipment fired by fossil fuels, including natural gas
- in energy efficiency measures in buildings

Aid may be granted under article 38 GBER for investments undertaken to comply with Union standards that have been adopted but are not yet in force, provided that the investment is implemented and finalised at least 18 months before the standard enters into force.

Eligible costs and Aid Intensity

The eligible costs shall be the extra investment costs necessary to achieve the higher level of energy efficiency. They shall be determined by comparing the costs of the investment to those of the counterfactual scenario that would occur in the absence of the aid, as follows:

- (a) where the counterfactual scenario consists in carrying out a less energy-efficient investment that corresponds to normal commercial practice in the sector or for the activity concerned, the eligible costs shall consist in the difference between the costs of the investment for which State aid is granted and the costs of the less energy-efficient investment;

The following programme provides the legal cover for award of support in line with the General Block Exemption Regulation. The programme does not provide any additional funding or budget.

(b) where the counterfactual scenario consists in carrying out the same investment at a later point in time, the eligible costs shall consist in the difference between the costs of the investment for which State aid is granted and the Net Present Value of the costs of the later investment, discounted to the point in time when the aided investment would be undertaken;

(c) where the counterfactual scenario consists in maintaining the existing installations and equipment in operation, the eligible costs shall consist in the difference between the costs of the investment for which State aid is granted and the Net Present Value of the investment in the maintenance, repair and modernisation of the existing installation and equipment, discounted to the point in time when the aided investment would be undertaken;

(d) In the case of equipment subject to leasing agreements, the eligible costs shall consist in the difference in Net Present Value between the leasing of the equipment for which State aid is granted and the leasing of the less energy-efficient equipment that would be leased in the absence of aid; the leasing costs shall not include costs relating to the operation of the equipment or installation (fuel costs, insurance, maintenance, other consumables), irrespective of whether they are part of the leasing contract.

In all cases, the counterfactual shall correspond to an investment with comparable output capacity and lifetime that complies with Union standards already in force. The counterfactual shall be credible in the light of legal requirements, market conditions and incentives generated by the EU ETS system.

The total investment costs will be eligible where aid is granted for:

- clearly identifiable investments solely aimed at improving energy efficiency, for which there is no less energy efficient counterfactual investment

The following costs are not eligible under Article 38 GBER:

- Costs not directly linked to the achievement of a higher level of energy efficiency

Supported activity	Aid Intensity for Large Company	Aid Intensity for Medium Company	Aid Intensity for Small Company
Investment aid for energy efficiency measures, other than in buildings	30% 100% if competitive bidding	40% 100% if competitive bidding	50% 100% if competitive bidding

The aid intensity may reach 100 % of the investment costs where aid is granted in a competitive bidding process, which fulfils all of the following conditions in addition to those laid down in Article 2, point (38) GBER:

(a) the aid award shall be based on objective, clear, transparent and non-discriminatory eligibility and selection criteria, defined ex ante and published at least 6 weeks in advance of the deadline for submitting applications, to enable effective competition;

The following programme provides the legal cover for award of support in line with the General Block Exemption Regulation. The programme does not provide any additional funding or budget.

(b) during the implementation of a scheme, in case of a bidding process where all bidders receive aid, the design of said process shall be corrected to restore effective competition in the subsequent bidding processes, for example, by reducing the budget or volume;

(c) ex post adjustments to the bidding process outcome (such as subsequent negotiations on bid results) shall be excluded;

(d) at least 70 % of the total selection criteria used for ranking bids and, ultimately, for allocating the aid in the competitive bidding process shall be defined in terms of aid in relation to the project's contribution to the environmental objectives of the measure, for example the aid requested per unit of energy efficiency gained. Those criteria shall not account for less than 70 % of the weighting of all the selection criteria.

Alternative determination of aid amount under Article 38 GBER

The eligible costs may be determined without the identification of a counterfactual scenario and in the absence of a competitive bidding process. In that case, the eligible costs shall be the total investment costs directly linked to the achievement of a higher level of energy efficiency and the applicable aid intensities and bonuses are reduced by 50 %.

Supported activity	Aid Intensity for Large Company	Aid Intensity for Medium Company	Aid Intensity for Small Company
Investment aid for energy efficiency measures, other than in buildings	15%	20%	25%

Aid under article 41 GBER

Scope

Aid for the promotion of energy from renewable sources, of renewable hydrogen and of high-efficiency cogeneration will be granted in line with article 41 GBER.

Aid shall be granted in respect of newly installed or refurbished capacities. The aid amount shall be independent from the output.

No aid will be granted for the promotion of electricity from renewable hydrogen.

Aid may be granted under article 41 GBER for investments in:

- electricity storage projects to the extent that aid is granted to combined renewable and storage projects (behind-the-meter), where both elements are components of a single investment or where storage is connected to an existing renewable generation installation. The storage component shall absorb at least 75 % of its energy from directly connected renewable energy generation installation, on an annual basis. All investment components (generation and storage) are considered to constitute a single integrated project for verification of compliance with the thresholds set out in Article 4 GBER. The same rules shall apply to thermal storage directly connected to a renewable energy production installation.

The following programme provides the legal cover for award of support in line with the General Block Exemption Regulation. The programme does not provide any additional funding or budget.

- the production and storage of biofuels, bioliquids, biogas (including biomethane) and biomass fuels to the extent that the aided fuels are compliant with the sustainability and greenhouse gases emissions saving criteria of Directive (EU) 2018/2001 and its implementing or delegated acts and are made from the feedstock listed in Annex IX to that Directive. The storage component shall obtain at least 75 % of its fuel content from directly connected biofuels, bioliquids, biogas (including biomethane) and biomass fuels production installations, on an annual basis. All investment components (production and storage) are considered to constitute a single integrated project for verification of compliance with the thresholds set out in Article 4 of GBER.
- the production of hydrogen for installations producing exclusively renewable hydrogen. For renewable hydrogen projects consisting of an electrolyser and one or more renewable generation units behind a single grid connection point, the capacity of the electrolyser shall not exceed the combined capacity of the renewable generation units. The investment aid may cover dedicated infrastructure for the transmission or distribution of renewable hydrogen, as well as storage facilities for renewable hydrogen.
- high-efficiency cogeneration units to the extent that they provide overall primary energy savings compared to separate production of heat and electricity as provided for by Directive 2012/27/EU or any subsequent legislation replacing this act in full or in part.
- electricity and thermal storage projects directly connected to high-efficiency cogeneration based on renewable energy sources
- high-efficiency cogeneration that is not for fossil fuel fired cogeneration installations, with the exception of natural gas where compliance with the 2030 and 2050 climate targets is ensured in accordance with section 4.30 of Annex 1 to Commission Delegated Regulation (EU) 2021/2139

Eligible costs and Aid Intensity

The eligible costs shall be the total investment costs.

Supported activity	Aid Intensity for Large Company	Aid Intensity for Medium Company	Aid Intensity for Small Company
Investment aid for the promotion of energy from renewable sources, including heat pumps compliant with Annex VII to Directive 2018/2001, renewable hydrogen and high-efficiency cogeneration based on renewable energy sources	45% 100% if competitive bidding	50% 100% if competitive bidding	50% 100% if competitive bidding
Other eligible investment	30% 100% if competitive bidding	40% 100% if competitive bidding	50% 100% if competitive bidding

The following programme provides the legal cover for award of support in line with the General Block Exemption Regulation. The programme does not provide any additional funding or budget.

The aid intensity may reach 100 % of the eligible costs where aid is granted in a competitive bidding process, which fulfils all of the following conditions in addition to those laid down in Article 2, point (38) GBER:

- (a) the aid award shall be based on objective, clear, transparent and non-discriminatory eligibility and selection criteria, defined ex ante and published at least 6 weeks in advance of the deadline for submitting applications, to enable effective competition;
- (b) during the implementation of a scheme, in case of a bidding process where all bidders receive aid, the design of said process shall be corrected to restore effective competition in the subsequent bidding processes, for example, by reducing the budget or volume;
- (c) ex post adjustments to the bidding process outcome (such as subsequent negotiations on bid results or rationing) shall be excluded;
- (d) at least 70 % of the total selection criteria used for ranking bids and, ultimately, for allocating the aid in the competitive bidding process shall be defined in terms of aid per unit of energy capacity from renewable sources or high efficiency-cogeneration.

Aid under Article 49 GBER

Scope

Aid for studies and consultancy services on environmental protection and energy matters will be granted in accordance with the conditions set out in Article 49 GBER.

The Programme supports investments in studies, or consultancy services, including energy audits, directly linked to investments referred to in Section 7 of the GBER.

Aid shall be granted irrespective of whether the findings of the study or the consultancy service are followed by an investment eligible for aid under Section 7 of the GBER.

Aid shall not be granted to large undertakings for energy audits carried out to comply with Directive 2012/27/EU, unless the energy audit is carried out in addition to the mandatory energy audit under that Directive.

Eligible costs and Aid Intensity

The eligible costs shall be the costs of the study or consultancy service. Where only part of the study or consultancy service concerns investments eligible for aid under Section 7 of the GBER, the eligible costs shall be the costs of the part of the study or consultancy service relating to those investments.

Aid shall be granted irrespective of whether the findings of the study or the consultancy service are followed by an investment eligible for aid under Section 7 of the GBER.

Aid shall not be granted to large undertakings for energy audits carried out to comply with Directive 2012/27/EU, unless the energy audit is carried out in addition to the mandatory energy audit under that Directive.

Supported activity	Large Company	Medium Company	Small Company
Aid for environmental studies	50%	50%	50%



The following programme provides the legal cover for award of support in line with the General Block Exemption Regulation. The programme does not provide any additional funding or budget.