

# Prosjektetableringsstøtte EUs Innovasjonsfond program

State aid Reference no.: GBER 29/2024/ENV

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## **i. Description of the aid measure**

### **1. State**

Norway



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## 2. Aid granting Authority

Enova SF<sup>1</sup> is the authorized body to implement the Programme.

## 3. Objective of the aid programme and eligible activities

Enova is the responsible agency for Norway's participation in the EU Innovation Fund, notably in the role as the National Contact Point for Norwegian applicants to the Innovation Fund. The Innovation Fund is a key funding instrument for delivering the EU's economy-wide commitments under the Paris Agreement and the climate and energy priorities put forward in the REPowerEU Plan, the Hydrogen Bank, the Green Deal Industrial Plan and the Net-Zero Industry Act. It supports projects that aim to bring to the market solutions to decarbonise European industry and support its transition to climate neutrality while fostering its competitiveness.

This is done by funding innovative projects focusing on innovative low-carbon technologies and processes in energy-intensive industries, including products that can substitute carbon-intensive ones; carbon capture and utilisation (CCU); construction and operation of carbon capture and storage (CCS) facilities; innovative renewable energy generation; energy storage; net zero mobility (maritime, aviation, road transport) and buildings.

It is of high importance for Enova to facilitate support that ensures a high chance of success for Norwegian applicants to the Innovation Fund.

The Prosjektetableringsstøtte EUs Innovasjonsfond programme (hereby the Programme) is a framework for distributing several individual grants of state aid and aims at supporting applicants to the EU Innovation Fund to prepare the required content for a competitive proposal of high quality.

Proposals for calls in the Innovation Fund consist of:

- Administrative forms
- Technical description of the project (limit 80 pages)
- supporting documentation, including
  - o Feasibility study
  - o Financial information
  - o Business plan
  - o Knowledge sharing plan
  - o GHG emission avoidance calculations
  - o Other relevant documentation, depending on the project.

Eligible for aid under the Programme will be studies and/or consultancy services for the preparation of a project proposal for an open call in the Innovation Fund.

## 4. Scope of the programme

The Programme is open to large undertakings and SMEs that are registered in the Norwegian Register of Business Enterprises<sup>2</sup>. The Programme supports studies and/or consultancy

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<sup>1</sup> <https://www.enova.no/about-enova/>

<sup>2</sup> <https://www.brreg.no/en/>

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services for the preparation of proposals for projects applying for Grants from the Innovation Fund that are 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 2001<sup>3</sup> on the basis of a proposition by the Ministry of Petroleum and Energy of 21 December 2000<sup>4</sup> The Parliamentary Decision amends the Energy Act of 29 June 1990 No 50 (Energiloven)
- the Agreement<sup>5</sup> (Avtalen) between Enova and the Ministry of Climate and Environment<sup>6</sup>, on the management of the funds derived from Enova's budget.

Aid granted under this Programme will comply with Commission Regulation (EU) No 651/2014<sup>7</sup>, 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 49.

The national legal basis for aid granted under this Programme<sup>8</sup> is the programme specific regulations found in the programme criteria for Prosjektetableringsstøtte EUs Innovasjonsfond Prosjektetableringsstøtte EU IF<sup>9</sup>) and the present document<sup>10</sup> 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)

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<sup>3</sup> 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)).

<sup>4</sup> Ot.prp.nr.35 (2000-2001)

<sup>5</sup> The agreement can be found in: <https://www.enova.no/om-enova/om-organisasjonen/oppdragsbrev-og-avtaler/>

<sup>6</sup> 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.

<sup>7</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02014R0651-20230701>

<sup>8</sup> As a rule, Enova's programmes are authorized by Enova's board, before being published on Enova's website.

<sup>9</sup> <https://www.enova.no/bedrift/europeiske-stotteordninger-for-klimateknologi/eus-innovasjonsfond/prosjektetableringsstotte-for-eus-innovasjonsfond/>

<sup>10</sup> <https://www.enova.no/om-enova/drift/rettslig-grunnlag-for-enovas-stotteordninger/>



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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 investment aid for environmental protection, unless otherwise specified: EUR 30 million per undertaking per investment 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 15th 2024 until December 31st 2029**.

The annual budget for the Programme is estimated to maximum **50 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

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## 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 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 rate<sup>11</sup> 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:

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<sup>11</sup> 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.

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- 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
- 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 of GBER, 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 supporting 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 (Prosjektetableringsstøtte EU IF).

### 14. Aid for environmental protection

Aid under the Programme aimed at promoting environmental protection will be granted in line with the conditions set out in article 49 GBER.

#### **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. 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



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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.

<b>Supported activity</b>	<b>Aid Intensity for Large Company</b>	<b>Aid Intensity for Medium Company</b>	<b>Aid Intensity for Small Company</b>
<b>Aid for environmental studies</b>	<b>50%</b>	<b>50%</b>	<b>50%</b>