Groundbreaking maritime technology English (Banebrytende maritim teknologi)

State aid Reference no.: this will be entered once the scheme has been registered

Contents

i. Description of the aid measure

1. State

Norway

2. Aid granting Authority

Enova SF[1] is the authorized body to implement the Scheme.

3. Objective of the aid scheme and eligible activities

The scheme Groundbreaking maritime technology (hereby the Scheme) aims at speeding up the technology development and uptake of innovations that can contribute to reduction of emissions in the field of maritime vessels.

Eligible for aid under the Scheme are pilot and investment project at the late stage of technology development. The technology concerned must be new and groundbreaking and compliant with a zero emission society.

4. Scope of the scheme

The Scheme is open to large undertakings and SMEs that are registered in the Norwegian Register of Business Enterprises[2]. The projects receiving aid under the Scheme must be realized in Norway or within the Norwegian economic zone or for investments in ships the ship needs to be registered under NOR or NIS flag state. Oherwise it must be documented that the ship operates at least 1/3 of the time in Norway and/or in the Norwegian economic zone. Any necessary infrastructure that is subject to aid under this Programme must be located in Norway or in the Norwegian economic zone.

5. Legal Basis

Aid granted under this Scheme will comply with Commission Regulation (EU) No 651/2014[3], 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 article(s): 25, 36a, 36b, 38, 49 and 56b GBER.

The national legal basis for aid granted under this Scheme is the the present document[4] describing the Scheme's compliance under Commission Regulation (EU) No 651/2014 and the specific terms and conditions set by Enova.

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

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1 https://www.enova.no/about-enova/
2 https://www.brreg.no/en/
3 https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02014R0651-20230701
4 https://www.enova.no/om-enova/drift/rettslig-grunnlag-for-enovas-stotteordninger/

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

6. Aid Category and Definitions

Aid under the Scheme 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)
- Aid for ports (art. 1(n) GBER)

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

Aid under the Scheme 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 Scheme and total budget for aid under the Scheme

In line with article 4 GBER, aid under the Scheme 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 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;

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;

In the case of investment aid for recharging or refuelling infrastructure referred to in Article 36a (1) and (2): EUR 30 million per undertaking per project and, in the case of schemes, an average annual budget of up to EUR 300 million;

In the case of maritime ports: eligible costs of EUR 143 million per project (or EUR 165 million per project in a maritime port included in the work plan of a Core Network Corridor as referred to in Article 47 of Regulation (EU) No 1315/2013 of the European Parliament and of the Council); as regards dredging a project is defined as all dredging carried out within 1 calendar year

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

The Scheme will run from July 1st until December 31st 2028.

The annual budget for the Scheme is estimated to maximum 500 MNOK.

8. Transparency of aid

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

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

9. Incentive effect of the aid

The Scheme 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 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[5] laid down in the applicable rules of EU/EEA Law.

Aid under the Scheme 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 Scheme 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 Scheme 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 Scheme), 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 Scheme.

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.

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[5] 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.

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 Scheme. 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 Scheme including the criteria set out by Enova and published on Enova.no.

14. Aid for research and development and innovation

Aid under article 25 GBER

Aid under the Scheme 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:

- 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.

(c) Costs for of 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 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 results[6] (up to a maximum of 50%)

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

Experimental development	**25%**	**35%**	**45%**	**15%**
Feasibility studies	**50%**	**50%**	**50%**	**0%**

15. Aid for environmental protection

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

Aid under article 36a GBER

Scope

Investment aid for recharging or refuelling infrastructure shall be in line with article 36a GBER.

Aid will be granted for recharging or refuelling infrastructures that supply vehicles, mobile terminal equipment or mobile groundhandling equipment with electricity or hydrogen. For aided refuelling infrastructure supplying hydrogen, the beneficiary must commit that by 31 December 2035 at the latest, the refuelling infrastructure will solely supply renewable hydrogen.

No aid will be granted for investments relating to recharging and refuelling infrastructure in ports.

Where the recharging or refuelling infrastructure is open for access by users other than the aid beneficiary or beneficiaries, aid shall only be granted for the construction, installation, upgrade or extension of recharging or refuelling infrastructure accessible to the public and providing non-discriminatory access to users, including in relation to tariffs, authentication and payment methods and other terms and conditions of use. The fees charged to users other than the aid beneficiary or beneficiaries for using the recharging or refuelling infrastructure shall correspond to market prices.

Operators of recharging or refuelling infrastructure that offer or allow contract-based payments on their infrastructure shall not discriminate between mobility service providers, for example by applying preferential access conditions, or through price differentiation without an objective justification.

The necessity of aid to invest in recharging or refuelling infrastructure of the same category as the one to be supported with aid (for example, for recharging infrastructure: normal or high power) shall be established through an ex ante open public consultation or an independent market study, which are no older than 1 year at the moment of the entry into force of the aid measure. In particular, it shall be established that no such investment is likely to take place on commercial terms within 3 years from the entry into force of the aid measure.

The obligation to conduct an ex ante open public consultation or an independent market study laid down in the first subparagraph shall not apply to:

- aid for the construction, installation, upgrade or extension of recharging or refuelling infrastructure that is not accessible to the public, i.e., dedicated infrastructure and

- investment in recharging or refuelling infrastructure for road vehicles, powered exclusively by electricity (for recharging infrastructures) or vehicles powered at least partially by hydrogen (for refuelling infrastructures), that represent respectively less than 3 % of the total number of vehicles of the same category registered in Norway. The necessity of aid is presumed in such cases. Passenger cars and light-duty commercial vehicles shall be considered as being part of the same category of vehicles.

Any concession or other entrustment to a third party to operate the supported recharging or refuelling infrastructure shall be assigned on a competitive, transparent and non-discriminatory basis, having due regard to the applicable procurement rules.

Where aid is granted for the deployment of new recharging infrastructure that allows for a transfer of electricity with a power output of less than or equal to 22 kW, the infrastructure must be capable of supporting smart recharging functionalities.

The aid granted to any one undertaking shall not exceed 40 % of the total budget of the scheme concerned.

Eligible costs and Aid Intensity

The eligible costs shall be the costs of the construction, installation, upgrade or extension of recharging or refuelling infrastructure. Those costs may include the costs of the recharging or refuelling infrastructure itself and related technical equipment, the installation of or upgrades to electrical or other components, including electrical cables and power transformers, required for connecting the recharging or refuelling infrastructure to the grid or to a local electricity or hydrogen production or storage unit, as well as civil engineering works, land or road adaptations, installation costs and costs for obtaining related permits.

The eligible costs may also cover the investment costs of on-site production of renewable electricity or renewable hydrogen, and the investment costs of storage units for storing renewable electricity or hydrogen. The nominal production capacity of the on-site renewable electricity or renewable hydrogen production installation shall not exceed the maximum rated output or refuelling capacity of the recharging or refuelling infrastructure to which it is connected.

Supported activity	**Aid Intensity for Large Company**	**Aid Intensity for Medium Company**	**Aid Intensity for Small Company**
Investment aid for recharging or refuelling infrastructure based on aid scheme (no competitive bidding)	**20%**	**40%**	**50%**

Aid under article 36b GBER

Scope

Investment aid for the acquisition of clean vehicles or zero-emission vehicles for road, railway, inland waterway and maritime transport and for the retrofitting of vehicles other than aircraft to qualify as clean vehicles or as zero-emission vehicles will be granted in line with article 36b GBER.

Aid shall be granted for the purchase or the leasing for a duration of at least 12 months of clean vehicles powered at least partially by electricity or by hydrogen or zero-emission vehicles and for the retrofitting of vehicles allowing them to qualify as clean vehicles or zero-emission vehicles.

Eligible costs and Aid Intensity

The eligible costs shall be the following:

(a) for investments consisting in the purchase of clean vehicles or zero-emission vehicles, the extra costs of purchasing the clean vehicle or the zero-emission vehicle. Those shall be calculated as the difference between the investment costs of purchasing the clean vehicle or the zero-emission vehicle and the investment costs of purchasing a vehicle of the same category that complies with applicable Union standards already in force and would have been acquired without the aid;

(b) for investments consisting in the leasing of clean vehicles or zero-emission vehicles, the extra costs of leasing the clean vehicle or the zero-emission vehicle. Those shall be calculated as the difference between the net present value of leasing the clean vehicle or the zero-emission vehicle and the net present value of leasing a vehicle of the same category that complies with applicable Union standards already in force and would have been leased without the aid. For the purposes of determining the eligible costs, the operating costs linked to the operation of the vehicle, including energy costs, insurance costs and maintenance costs, shall not be taken into account, irrespective of whether they are included in the leasing contract;

(c) for investments consisting in the retrofitting of vehicles allowing them to qualify as clean vehicles or zero-emission vehicles, the costs of the investment in the retrofitting.

Supported activity	**Aid Intensity for Large Company**	**Aid Intensity for Medium Company**	**Aid Intensity for Small Company**
Aid for the purchase or the leasing of zero-emission vehicles or the retrofitting of vehicles allowing them to qualify as zero-emission vehicles based on an aid scheme (no competitive bidding)	**30%**	**50%**	**60%**
Aid for the purchase or the leasing of clean vehicles, or of the retrofitting of vehicles allowing them to qualify as clean vehicles based on an aid scheme (no competitive bidding)	**20%**	**40%**	**50%**

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;

(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%**	**40%**	**50%**

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 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 Scheme 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 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	Aid Intensity for Large Company	Aid Intensity for Medium Company	Aid Intensity for Small Company
Aid for environmental studies	**50%**	**50%**	**50%**

16. Aid for maritime ports

Aid for maritime ports will be granted in accordance with the conditions set out in Article 56b GBER.

No aid will be granted for:

- the construction, installation, or upgrade of refuelling infrastructure supplying vessels with fossil-based fuels, such as diesel, natural gas, in gaseous form (compressed natural gas (CNG)) and liquefied form (liquefied natural gas (LNG)), and liquefied petroleum gas (LPG)

- investments in non-transport related activities, including industrial production facilities active in a port, offices or shops, as well as for port superstructures

Aid will be granted for:

(a) investments for the construction, installation, upgrade or extension of recharging or refuelling infrastructure for transport purposes, supplying electricity, hydrogen, ammonia and methanol (incl. planning costs), as well as investments in infrastructures and storage units for on-site production of renewable electricity/ renewable hydrogen and for storage of renewable electricity/ hydrogen respectively. These will need to be connected to the recharging or refuelling infrastructures;

Any concession or other entrustment to a third party to construct, upgrade, operate or rent aided port infrastructure shall be assigned on a competitive, transparent, non-discriminatory and unconditional basis.

The aided port infrastructure shall be made available to interested users on an equal and non-discriminatory basis on market terms.

When aid is granted for the construction, installation or upgrade of a refuelling infrastructure supplying hydrogen, the beneficiary shall give a commitment that by 31 December 2035 at the latest the aided refuelling infrastructure will supply solely renewable hydrogen. When aid is granted for the construction, installation or upgrade of a refuelling infrastructure supplying ammonia or methanol, the beneficiary shall give a commitment that by 31 December 2035 at the latest the aided refuelling infrastructure will supply solely ammonia or methanol 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.

Eligible costs and Aid Intensity

For aid for recharging and refuelling infrastructure supplying electricity, hydrogen, ammonia and methanol, the eligible costs shall be the costs of the construction, installation, upgrade or extension of recharging or refuelling infrastructure. Those costs may include the costs of the recharging or refuelling infrastructure itself and related technical equipment, including fixed, mobile or floating facilities, the installation of, or upgrades to, electrical or other components, including electrical cables and power transformers, required for connecting the recharging or refuelling infrastructure to the grid or to a local electricity or hydrogen production or storage unit, as well as civil engineering works, land or road adaptations, installation costs and costs for obtaining related permits.

The eligible costs may also cover the investment costs of on-site production of renewable electricity or renewable hydrogen and the investment costs of storage units for storing renewable electricity or hydrogen. The nominal production capacity of the on-site renewable electricity or renewable hydrogen production installation shall not exceed the maximum rated output or refuelling capacity of the recharging or refuelling infrastructure to which it is connected.

The aid amount shall not exceed the difference between the eligible costs and the operating profit of the investment. The operating profit shall be deducted from the eligible costs *ex ante*, on the basis of reasonable projections, or through a claw-back mechanism.

Supported activity	Aid intensity where total eligible costs of the project are up to EUR 22 million		
Aid for maritime ports	**100%**		

*EUR 143 million per project or EUR 165 million per project in a maritime port included in the work plan of a Core Network Corridor

Alternative determination of aid amount under Article 56b GBER

For aid not exceeding EUR 5.5 million, the maximum amount of aid may be set at 80 % of eligible costs with out considering the operating profit of the investment.

iv. Terms and conditions set by Enova

17. Specific terms and conditions

The terms and condition for aid under the scheme are set out in specific provisions for aid published at Enova's web page www.enova.no.

The specific provisions might have more limitations concerning maximum aid and duration than what is set for the scheme in section 14-15 in this document.

The scheme replaces the scheme "Emissions free maritime transport programme" with

State aid Reference no.: GBER 30/2023/ENV

The scheme was approved by Enova's board of directors on 14 December 2022.