



State Aid compliance – AMSCI & GBER 2014

The European Commission has adopted the updated General Block Exemption Regulation (GBER) 651/2014 OJL 187/1 of 17 June 2014. Put simply, provided aid can be fitted into the different categories set forth in GBER and kept to the individual limits also set out, the aid may be given without the need for individual Commission notification. This is the point of GBER, to make life easier and simpler for Member States when aiding those areas of activity the EU has deemed beneficial to subsidise, and in amounts that are not so big as to particularly endanger free competition. A non-exhaustive table of the most commonly used GBER aid methods for AMSCI is:

GBER aid measure	GBER Maximum aid Intensity (aid portion as % of total project cost)	Individual notification thresholds (exceeding these would require prior notification to EC)
Regional investment and employment aid	Regional aid intensity under the respective regional aid map; + 20% for small enterprises; +10% for medium enterprises. (NB. available in areas qualifying for regional assistance only – only the statistically poorest regions qualify – see regional aid for UK map 2014-2020)	For large investment aid projects (where total project costs exceed EUR 50m) up to €7.5m in 10% assisted areas (which is the majority of the UK following the new regional aid map).
Research and development	50% Industrial research (eg. proof of concept research); 25% Experimental development (eg. up to commercial prototype development); +10% for medium enterprises +20% for small enterprises +15% for collaborative research or wide dissemination of results (maximum cap 80%)	Industrial research: €20m per undertaking per project. Experimental development: €15m per undertaking per project (can be further increased to €30m and €22.5m respectively if a repayable advance is made – ie. a grant repayable if the project makes profits).
Technical feasibility studies	50% of the cost of the study (plus usual SME bonus of 10% for medium and 20% small enterprises)	€7.5m per undertaking per project
Innovation aid for SMEs	50% of costs of IP development, loan of highly qualified personnel and innovation advisory/support services or 100% of costs if under €200k over a 3 year period	€5m per undertaking per project
Aid for process and organisational innovation for SMEs	50% of personnel, capex, IP bought in, sub-contracted research and direct overheads (15% for large enterprises if they effectively collaborate). Aid also available to large enterprises collaborating with SMEs and bearing no more than 70% of the cost	€7.5m per undertaking per project
Training	50% of training (whether or not the skill is transferable) including trainer's and trainee's personnel costs, overheads, materials, supplies, depreciation and advisory services with the usual SME bonuses up to a maximum intensity of 70%	€2m per training project
SME investment and employment	20% for small enterprises 10% for medium enterprises	€7.5 m per undertaking per Project

Disclaimer: This table is provided by way of indication only and should not be taken as a substitute for legal advice. The area of law is complex and legal advice should be obtained before implementing these provisions.