

## Project identification

Project title	
Project acronym	
Project number	
Official name of the Lead Applicant organization	

## GENERAL ORIENTATION<sup>1</sup>

- A. Activities that are State aid free, as being State's prerogative (e.g.: activities exclusively related to emergency).
- B. Activities that are State aid free subject to complying with GfA provisions regarding general eligibility criteria and specific eligibility criteria<sup>2</sup> for eligible costs /expenditure (e.g.: promotional actions for health screening and providing information to prevent and diagnose diseases with high frequency in the eligible area; actions to improve access to health infrastructure by disadvantaged groups; exchange of know-how and capacity building activities; harmonized development of specialized services; improving cross-border accessibility of health-care services through construction, upgrading / modernization of roads with cross-border impact).
- C. Activities that are State aid free subject to complying with GfA provisions regarding general eligibility criteria and specific eligibility criteria for eligible costs /expenditure AND based on the Confirmation letter/Opinion regarding the incidence of State aid rules, issued by the Romanian Competition Council, after receiving the local impact analysis drafted by the applicant (e.g.: investments in health-care and prevention-related infrastructure, purchase and installation of health-care equipment, delivery of training to staff on the use of new equipment; development of telemedical and e- health infrastructure for diagnosis and treatment in order to achieve better patient information system and to reduce health inequalities in access to health services). In this case, only administrative<sup>3</sup> check shall be carried out by the external experts assessing the state aid incidence.
- D. Projects including activities that are declared Services for General Economic Interest (SGEI) (e.g.: Investments in health-care and prevention-related infrastructure, Purchase and installation of health-care equipment, delivery of training to staff on the use of new equipment; Development of telemedical and e-health infrastructure for diagnosis and treatment in order to achieve better patient information system and to reduce health inequalities in access to health services), in the operating phase. Considering that the SGEI occurs during the operating phase of the project, the investments envisaged may be started before the entrustment of the SGEI, provided that the Applicant undertakes to have the entrustment act adopted until the operating phase.

**Important! Please consider that any other activities, eligible based on the conditions set for the Investment priority 9/a, will be compliant with one of the above described categories.**

## I. Check list

Criteria	Description/relevant document	Question	Yes	No	Na	Comments/ Recommendations for assessor
<b>1. NON-AID</b>						
a. Activities that are considered <b>State's prerogative</b> (e.g.: <b>emergency</b> related activities)	Activities that are exclusively related to emergency are considered to be non-economic activities as -being State's prerogative and consequently, State aid free. / Concept Note /Application form <sup>4</sup> – work packages	Are the activities described in the Concept Note /Application form exclusively related to emergency healthcare services?				The assessor may ask for clarifications/completions regarding such aspect, in case information within Concept Note/Application form are not sufficient
<b>b.1 Confirmation letter / Opinion regarding the incidence of State aid rules</b> , issued by the Romanian Competition Council	To be provided along with an English translation	<b>I. ADMINISTRATIVE</b> b.1.1. Is the Confirmation letter / Opinion regarding the incidence of State aid rules <b>attached</b> to the Concept Note /Application form?				The assessor may ask for clarifications/completion regarding such aspects

<sup>1</sup> Please see the **Guide for Applicants** for Priority Investment 9/a and the **Methodology and criteria for assessment of projects in relation to State Aid** for details.

<sup>2</sup> **Conditions for training, roads etc, shall be assessed during the state aid quality assessment.**

<sup>3</sup> See the administrative assessment criteria in the **Check list**

<sup>4</sup> Depending on the type of the call for proposals (either Open and Flagship), the reference will be made to the Concept Note (for the flagship projects) or to the Application Form (for the normal projects)

Criteria	Description/relevant document	Question	Yes	No	Na	Comments/ Recommendations for assessor
<b>b.2 Declaration on conformity</b> of the data provided in the (Full) Application Form with those included in the local impact analysis	Template provided annexed to the GfA	b.1.2. Is the document <b>dully signed and stamped</b> by the competent authority?  b.2.1. Is the declaration <b>attached</b> to the Concept Note /Application form? b.2.2. Is the provided <b>template</b> used? b.2.3. Is the declaration <b>signed and stamped</b> by the entity's legal/authorized representative?				The assessor may ask for clarifications/completion regarding such aspects
<b>2. SERVICE OF GENERAL ECONOMIC INTEREST (SGEI)<sup>5</sup></b>						
<b>a. Applicant's Declaration on own responsibility</b> regarding the commitment to submit the entrustment act <b>endorsed</b> by the Romanian Competition Council, before the start of the operating phase, but not later than the end of the implementation period.	Template provided annexed to the GfA	<b>I. ADMINISTRATIVE</b>  a.1. Is the declaration <b>attached</b> to the Concept Note /Application form? a.2. Is the provided <b>template</b> used? a.3. Is the Declaration <b>signed and stamped</b> by the entity's legal/authorized representative?				The assessor may ask for clarifications/completions regarding such aspects.
<b>b. Competent authority (SGEI provider) decision</b> regarding the intention <b>to entrust</b> a SGEI to the hospital/health care institution/prevention institution (e.g. Local/County Council Decision)	To be provided along with an English translation	<b>I. ADMINISTRATIVE</b>  b.1. Is the decision <b>attached</b> to the Concept Note /Application form? b.2. Is the document duly <b>signed and stamped</b> by the legal / authorized representative?  <b>II. QUALITY</b>  b.3. Is the intention to entrust a SGEI to the hospital/health care institution/prevention institution clearly specified?				The assessor may ask for clarifications/completions regarding such aspects.
c. Hospital/health care institution/prevention institution's <b>consent on being entrusted</b> with the SGEI (based on the official correspondence exchanged with the competent authority-SGEI provider)	To be provided along with an English translation	<b>I. ADMINISTRATIVE</b>  c.1. Is the document <b>attached</b> to the Concept Note/Application form? c.2. Is the document duly <b>signed and stamped</b> by the legal/authorized representative?  <b>II. QUALITY</b> c.3. Does it specify the hospital/health care institution/prevention institution consent on being entrusted with the SGEI?				The assessor may ask for clarifications/completions regarding such aspects.
<b>OR, in case SGEI is already in place when submitting the Concept Note/Application form<sup>6</sup></b>						

<sup>5</sup> Considering that the SGEI occurs during the operating phase of the project, the investments envisaged may be started before the entrustment of the SGEI, provided that the Applicant undertakes to have the entrustment act adopted until the operating phase.

Criteria	Description/relevant document	Question	Yes	No	Na	Comments/ Recommendations for assessor
d. The <b>entrustment act</b> endorsed by the Romanian Competition Council compliant to the EC relevant decision, <i>in case already finalized</i> <sup>7</sup>	To be provided along with an English translation	I. <b>ADMINISTRATIVE</b>  d.1. Is the document <b>attached</b> to the Concept Note/Application form? d.2. Is the document duly <b>signed and stamped</b> ? d.3 Is the document <b>endorsed</b> by the Competition Council?				The assessor may ask for clarifications/completions regarding such aspects.
<b>3. OTHER ASPECTS</b>						
<b>a. Training activities</b> ( <i>exchange of experience and emergency-related trainings do not involve State aid</i> ) <b>a.1. Trainings related to purchased equipment</b> ( <i>if included in the equipment cost, is considered State aid free</i> )	Concept Note /Application form – work-packages – project budget	<b>I. QUALITY</b>  a.1.1 Is there any training activity related to the purchased equipment, included in the project? a.1.2 If yes, is the training service included in the equipment price? a.1.3. Is the training only for the staff using the equipment?				Recommendations of the assessor shall address inclusion within the price, the correlation between staff and equipment.
<b>a.2 Trainings Not related to purchased equipment</b>	Concept Note /Application form – work-packages – project budget	a.2.1. Is there any training activity NOT related to purchased equipment included in the project? a.2.2. If yes, is the training intend for public institutions employees? a.2.3 Are the participants to the training natural persons <sup>8</sup> or employees of an entity having less than 20% economic activities? a.2.4 Does the Concept Note /Application form provide that the training related materials will be uploaded to the programme website, to Applicant's website?				The assessor shall check that the training is not related to the employer's obligation, as stated within its functions. In case this happens, the assessor shall ask for alteration.  The assessor may ask how dissemination is foreseen.

<sup>6</sup> Please note this is not mandatory; the Programme only requires that the Entrustment Act is available before the start of the operation phase (after completion of the investment phase), but not later than the last day of the implementation period, as regulated by the subsidy contract;

<sup>7</sup> SGEI (in case that a decision is made not to have local impact analysis because of unavailability of data). This entails that the entrustment act exists in a final form.

<sup>8</sup> In case not natural persons are meant for training, the assessor shall ask for the correlation of the training with the proper recommendation for the guide.

Criteria	Description/relevant document	Question	Yes	No	Na	Comments/ Recommendations for assessor
<b>b. Public roads</b> construction/modernization activity	Concept Note /Application form – work-packages and excerpt from relevant local / regional / national strategy	b.1. Are the roads included within a national, regional or local strategy in force at the time of the application?  b.2. Does the public road <sup>9</sup> serve only a certain enterprise?				In case of complete absence of these aspects, the assessor can point to the correlation with the proper recommendations in the GfA.

## II. Result of the Qualitative Assessment

As a result of the assessment, I conclude that:

- ☐ For the project ....., the activities are considered State aid free, based on the type of activity / the compliance with recommendations/Confirmation letter or opinion.

Relevant activity	Concerned budget of the activity	Partner(s) involved	Justification of decision	Recommendations

As a result of the assessment, I conclude that:

- ☐ For the project ..... the following activities are considered to imply the entrustment of a SGEI, in the operating phase.

SGEI relevant activity	Concerned budget of the activity (covered by SGEI)	Partner(s) involved	Justification of decision	Recommendations

**Date:**

**Place:**

**Signature:**

<sup>9</sup> Please note that state aid does not apply if the road is not intended to serve only a certain enterprise, but to serve the general public, free of charge