

The *De minimis* Regulation QUESTIONNAIRE

ABOUT YOU

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01. Do you object to the disclosure of your identity?

Yes No

02. Does any of the exceptions foreseen in Article 4 of Regulation 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents¹ apply to your response? If so, please indicate clearly which parts should not be divulged, justify the need for such confidential treatment and provide also a non-confidential version of your response for publication on the Commission website.

Please provide your contact details below.

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<i>Main business activities</i>	Political Representation, Exchange of best practices, Promotion of guarantee instruments
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AECM's Interest Representative Register ID number is: 67611102869-33

NOTE: You are requested to follow the order of the questions, even though you are not required to reply to all questions. You can also submit additional information that you consider relevant and which does not fit any specific question.

¹ OJ L 145, 31 May 2001, p. 43.

SECTION A: FACTUAL INFORMATION ON THE USE OF THE DE MINIMIS REGULATION

Questions aiming at public authorities (both local and central):

1. Which objectives did your authority pursue with the aid granted under the de minimis Regulation? Please estimate, if possible, the percentages of de minimis aid granted for different purposes.
2. Have you carried out an assessment (overall or on a case-by-case basis) of the impact of the de minimis aid granted? If so, please explain and summarise its main results.
3. Regarding the measures for which you have used the de minimis Regulation, what would you possibly have done if no de minimis Regulation had existed?
4. To what extent has the economic and financial crisis had an impact on the granting of de minimis aid in your Member State?

If applicable, please describe such impact and indicate if, and how, your authorities have adapted their de minimis aid granting policy in response.

In particular, please explain whether you have experienced an increase in de minimis aid directly targeting difficulties of companies relating to access to finance. Please explain if possible, to what extent this was relevant for small, medium-sized and large undertakings.

SECTION B: GENERAL DE MINIMIS POLICY QUESTIONS

Questions aiming at all respondents:

5. Please describe what you consider from your perspective as the main positive economic effects of support granted under the de minimis Regulation. Please substantiate and give concrete examples.

It is recognised that micro, small and medium-sized enterprises (SMEs) experience difficulties with access to finance due to a market failure. The support granted under the de minimis Regulation enables AECM's members to further address this market failure. Thus, AECM's members are enabled to grant guarantees to SMEs on preferential fee level. It facilitates micro, small and medium-sized enterprises to access to finance and to reduce their competitive disadvantages stemming from their size, weaker creditability, lesser available economic data and the lack of accessible and adequate collaterals.

6. Please describe what you consider from your perspective as the main potential negative effects of support granted under the de minimis Regulation. Please substantiate and give concrete examples.

In general, AECM's members are satisfied with the de minimis Regulation and we would like to stress that any future revision has to be in line with a simplification approach.

7. Do you consider that the application of the de minimis Regulation has led, in practice, to effects on competition and/or trade between Member States?

Yes No

Please explain in which cases or sectors and why. For the purposes of your reply, please consider in particular also aggregate effects of de minimis aid.

8. Do you have concrete examples where de minimis aid was granted by another Member State/region which had an effect on undertakings in your Member State/region?

Our members are not aware of such effects and accordingly we cannot provide any examples.

9. Do you consider that the de minimis Regulation has specific positive or negative effects on SMEs compared to large companies?

The de minimis Regulation has positive effects on SMEs. The support granted under the de minimis Regulation is predominantly provided to SMEs in order to address the market failure they are confronted with in getting access to finance and which large companies do not face.

SECTION C: MONITORING

Questions for public authorities:

10. How do you ensure a proper monitoring of the de minimis aid?

11. Have you set up a central register for de minimis aid?

If yes, please describe the functioning of your system. If possible, explain:

- (a) How many authorities use and/or have access to your central register?
- (b) How would you estimate the net cost (if possible provide full man-days/fulltime equivalents) to set up and run as opposed to a decentralized system of recording and monitoring?
- (c) For what purposes do you use the information contained in your register?
- (d) Does your register only cover de minimis measures or also State aid?
- (e) If you compare the situation before and after the introduction of the register, what are in your view the main (positive and negative) changes?

If no, please explain why you have chosen not to set up a central register. Do you have an overview of de minimis aid granted at the central level through other means (please specify)?

Questions aiming at all respondents:

12. Have you encountered difficulties in applying the provisions on monitoring (Article 6), in particular concerning the respect of the ceiling?

Yes No

If yes, please explain.

Since there is a register, it is easy to verify the ceiling.

Yet, our members also told us that in case of any changes sufficient time shall be envisaged to implement them. More precisely, in general a central register implies more administrative efforts and more time is needed to query the unused amount of each enterprise and to report the supports granted than a simple self-declaration of the enterprise would need. However, the monitoring of the national ceiling is assured and does not imply additional administration thanks to IT developments which resulted in a webservice-based system that provides for a fast and easy way to query the unused amounts of the enterprises. The amendment of the Regulation would result in the conversion of the new IT system. Therefore, it is crucial to provide the essential time for implementation.

Moreover, difficulties were encountered in identifying the connections of a single undertaking in the central register and to verify and process the reports. This means that the online query cannot operate completely up-to-date. Cancellation of the cumulation rules concerning the single undertaking definition would essentially ease the monitoring of individual caps of de minimis aids.

13. Please explain the workload (if possible provide full man-days/fulltime equivalents) caused by the monitoring provisions (Article 6), in particular concerning the respect of the ceiling and the records to be kept, and estimate, if possible, the administrative burden created by it.

The fulltime equivalent of the administrative efforts, including IT resources is approximately 200 workdays per year or in other words in caused an increase of 25 - 30% of the workload.

SECTION D: MISCELLANEA

Questions aiming at all respondents:

14. Do you have any other comments on the application of the de minimis Regulation on issues other than those covered in the previous questions?

AECM is of the view that the individual farmer limits which are currently fixed at the amount of 15.000,00 EUR, as well as the national cap of at present 1 % of the annual agricultural output require more flexibility in terms of nominal size. More precisely the individual ceiling should be increased at least to 30.000,00 EUR given that such a threshold would still be rather weak compared to those of other markets like, for instance, industry, craft and retail. In other words, the European Commission should set the revised threshold as high as it still complies with the requirement that the granting of such aid does not have a distortive impact on competition and trade. As stated before, for the implementation of such changes sufficient time should be envisaged to allow for the adaptation of the respective IT in place.

15. Please provide copies of any documents or studies which may be relevant for assessing the application of the de minimis Regulation and contributing to the reflection on its future revision.

Please indicate whether the Commission services may contact you for further details on the information submitted, if required.

Yes No

THANK YOU FOR RESPONDING TO THIS QUESTIONNAIRE.