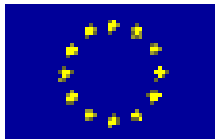




GLOBAL CHANGE RESEARCH INSTITUTE
Czech Republic Academy of Sciences

***Consequences of the way State aid rules were
incorporated into operational programmes
CzechGlobe experience***

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***Scientific Secretary of Global Change
Research Institute***



Framework

- Commission Regulation (EU) No 651/2014 of 17 June 2014 (General Block exemption Regulation -GBER) and the Framework for state aid for research, development and innovation (Communication for the Commission, C(2014)3282, 21.5.2014)
- Par. 20 of the Regulation: Where a research organisation or research infrastructure is used almost exclusively for a non-economic activity, all of it may fall outside state aid rules, even if it is also partially (in scope of 20%) used for a purely ancillary economic activity.
- The 20% threshold applies with regard to the capacity allocated each year to economic activities in relation to overall annual capacity.

What does it mean 20%?

- There are interpretations that the 20% is tentative and it can be even more when it is justified.
- The approach of member states institutions has differed
- The each national agency (e.g. ESIF managing authorities, controlling agencies such are Ministry of finance, competition authority) have their own approach

Research vs. Economic activity

- European Commission: There must be implemented adequate methods for identifying economic and non-economic activities and separating them (till 2014 and then based on GBER).

What is relevant entity?

- Rather „metaphysical“ approach:

The 20% threshold will be assessed at the level of the "relevant entity", that is to say every individual entity (such as a laboratory or department) that, with the organisational structure, capital, material and workforce that it effectively has at its disposal, could alone perform the activity concerned.

Main resource in Czech Rep.

- Ministry of Education of the Czech Republic in English Q&A based on communication with European Commission after GBER adoption. Published in English on Ministerial websites: [Basic set of questions of the Czech Republic for the area of RDI](#)