The *De minimis* Regulation
QUESTIONNAIRE

**ABOUT YOU**

*Specific privacy statement*: Received contributions, together with the identity of the contributor, will be published on the Internet, unless the contributor objects to publication of the personal data on the grounds that such publication would harm his or her legitimate interests. In this case the contribution may be published in anonymous form.

For rules on data protection on the EUROPA website, please see: [http://ec.europa.eu/geninfo/legal_notices_en.htm#personaldata](http://ec.europa.eu/geninfo/legal_notices_en.htm#personaldata)

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

   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 documents\(^1\) 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.

<table>
<thead>
<tr>
<th>Name</th>
<th>Eoghan Hanrahan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Organisation represented</td>
<td>Enterprise Ireland</td>
</tr>
<tr>
<td>Location (country)</td>
<td>Ireland</td>
</tr>
<tr>
<td>E-mail address:</td>
<td><a href="mailto:Eoghan.hanrahan@enterprise-ireland.com">Eoghan.hanrahan@enterprise-ireland.com</a></td>
</tr>
</tbody>
</table>

**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. Has support under the de minimis Regulation been granted in the territory of your authority (either by your authority or by regional/municipal/etc. authorities)? If so, please provide, if possible since the entry into force of the Regulation (2007), per year:

   a. the total amount of de minimis aid granted (total amount; average amount per undertaking; distribution of aid amounts per undertaking [EUR 10,000; 10,000-50,000; 50,000-100,000; 100,000-200,000])

   b. the number of beneficiaries, if possible with a breakdown for large, medium-sized and small undertakings; if available please also provide data for microenterprises

   c. the sectors concerned, if possible in accordance with the NACE codes.

   d. if applicable and available, breakdown of aid granted on the territory of your authority by central authority and regional/local authorities.

If you do not have precise data, please provide an estimate.

An analysis of De Minimis payment over the past 3 years indicates that the average De Minimis payment per annum by the agency is approximately €6.25m and the average payment per company is approximately €12,000.

Table 1 sets out the range of De Minimis supports for the year 2011 together with the undertakings supported in the selected sample.

<table>
<thead>
<tr>
<th>Range of Support</th>
<th>Payment</th>
<th>Number of undertakings</th>
<th>Percentage of total undertakings</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt;€10,000</td>
<td>€1.06m</td>
<td>237</td>
<td>51%</td>
</tr>
<tr>
<td>€10,000-€50,000</td>
<td>€4.3m</td>
<td>225</td>
<td>48%</td>
</tr>
<tr>
<td>€50,000-€200,000</td>
<td>€.633m</td>
<td>5</td>
<td>1%</td>
</tr>
</tbody>
</table>

Table 1
2. Are there differences in the use of the de Minimis Regulation between regions/areas within the territory of your authority (e.g. if certain areas receive a relatively high volume of de minimis aid compared to others)? If so, please explain why.

No. The De Minimis aid is provided for specific development aid support in line with the terms of the De Minimis aid guidelines which allows for small amount of aid to be provided to companies and where that aid does not distort the market.

3. Which aid instruments (grants, loans, guarantees, etc.) did you use under the de minimis Regulation? Please explain why you used those instruments and provide, if possible since 2007, for each instrument the total amount of de minimis aid and the number of beneficiaries per year.

Table 1 sets outs the details of the beneficiaries and the majority of the aid awarded is by way of grant aid.

4. Which objectives did your authority pursue with the aid granted under the de minimis Regulation (such as regional development, research and development, etc)? Please estimate, if possible, the percentages of de minimis aid granted for different purposes.

Aid as defined under Regional development was the main object pursued by the development agency in supporting the hiring of new staff together with training aid to support the development of newly recruited staff. This accounted for more than 70% of the awarded De Minimis aid for the 2011.

5. 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.

No assessment has been carried out but De Minimis aid is a very important support mechanism available to the agency. It enables the provision of targeted flexible supports which have an immediate and direct impact on the company.

6. 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? Would you have designed the aid measures differently, so that they could fall under the General Block Exemption Regulation? Would you have notified them? Or would you not have granted them at all? Please explain why and provide an estimate of the proportion of measures that would fall under each category.

The aid measure would have had to be redesigned to reflect the requirements of the GBER and that would have been reflected in reduced percentage aid limits and reduced flexibility. The application of De Minimis provides for a more consistent approach in dealing with undertakings.

7. Has your authority granted State aid measures slightly above the ceiling of the current de minimis Regulation? If so, please specify how often such measures were granted and whether those measures were granted under the General Block Exemption Regulation, under an authorised aid scheme or under an individual decision.

No. the aid measures are carefully monitored to ensure that the limits are not exceeded. Companies are required to make a declaration in respect of De Minimis aid received and agency supports are logged on a database.
8. 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.

The financial crisis is having a significant impact on all undertakings and the De Minimis aid amounts would have been much higher in 2009 and 2010 were it not for the provision of the Temporary Aid framework. The Temporary Aid Framework was a significant and important development for viable but vulnerable companies operating in unprecedented economic conditions.

The application of De Minimis has increased over the past few years and the aid is provided as part of the development agenda of companies operating in a very difficult economic climate. The De Minimis aid is a significant support tool which does not distort the competitive market.

SECTION B: GENERAL DE MINIMIS POLICY QUESTIONS

Questions aiming at all respondents:

9. 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.

The De Minimis aid of €200,000 over three years is a very important tool that allows the State to target specific needs of undertakings and fulfil a developmental agenda. The De Minimis aid also provides for greater flexibility and reduced bureaucracy in the monitoring of the aid. The ability to meet compliance is also much easier under De Minimis aid.

Enterprise Ireland has developed a Lean offer and the application of the initial phase under De Minimis aid has created an offer that encouraged companies to investigate the possibility of implementing lean processes and system in companies.

The aim of the Lean Start Grant is to assist clients develop their capability in business process improvement methodologies such as Lean and/or other best methods specific to particular business sectors (e.g. ‘Agile’ in the software sector).

Lean Start provides an introduction to Lean concepts and allows a client gain an understanding of what the Lean tools and techniques can do for their company in a short, focused engagement.

Lean is focused on building the capability and capacity of the people in a business and thereby increasing company competitiveness. The Lean Business Offer programme is structured to foster Continuous Improvement.
10. 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.

The only negative is from the company perspective in that there is often confusion as to the definition of De Minimis.

11. 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?

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.

12. 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?

No.

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

All undertakings have the potential to benefit from De Minimis Aid but the majority of beneficiaries are SMEs and the feedback form SMEs is that the support as provided has a positive impact.

SECTION C: TECHNICAL DESIGN OF THE DE MINIMIS REGULATION

Questions aiming at all respondents:

14. Based on your experience with the application of the de minimis Regulation, are the provisions on the exclusion from the scope of application (Article 1) clear and adequate?

Yes

If not, please explain where you see a need for clarification or change.

15. Based on your experience with the application of the de minimis Regulation, is the specific provision for the road transport sector clear and adequate (both as regards the definition and the ceiling)?

Yes

If not, please explain where you see a need for clarification or change.
16. Is the current distinction between transparent and non-transparent aid (Article 2(4)) clear and adequate?

Yes

If not, please explain where you see a need for clarification or change.

17. Based on your experience with the application of the de minimis Regulation, are the provisions on cumulation (Article 2(5)) clear and adequate?

Yes

But it would be useful to have the cumulation rule reviewed and restated

If not, please explain where you see a need for clarification or change.

18. Based on your experience is the definition of the de minimis ceiling based on the amount received over a three-year period by one undertaking clear and adequate?

Yes

If not, please explain where you see a need for clarification or change.

**SECTION D: MONITORING**

**Questions for public authorities:**

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

Enterprise Ireland has a database of all De Minimis aid amounts approved to undertakings and the amounts are tracked over the required three year period. The database undergoes regular enhancement and new features are added to assist in the monitoring and reporting. Clients are requested to sign a declaration statement detailing how much De Minimis aid the company has received in the last three years.

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

No. the database only records the payments approved and paid by Enterprise Ireland.

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:

21. Have you encountered difficulties in applying the provisions on monitoring (Article 3), in particular concerning the respect of the ceiling?

No ☐

If yes, please explain.

22. Please explain the workload (if possible provide full man-days/fulltime equivalents) caused by the monitoring provisions (Article 3), in particular concerning the respect of the ceiling and the records to be kept, and estimate, if possible, the administrative burden created by it.

With the continuous improvement of the Enterprise Ireland database the amount of time taken to monitor the database is reducing but in total it could be estimated that 50 full man days are invested in the system. The man hour requirement included administration staff check the declarations of application forms.

SECTION E: MISCELLANEA

Questions aiming at all respondents:

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

No, except to reiterate the importance of De Minimis aid as a mechanism for supporting undertakings in a way which does not distort the market.

24. 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 ☐

THANK YOU FOR RESPONDING TO THIS QUESTIONNAIRE.