**Community framework for state aid for research and development and innovation**

*Proposals of the Nord-Pas de Calais competitiveness and excellence clusters*

<table>
<thead>
<tr>
<th>Encadrement actuel</th>
<th>Propositions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2.2. Definitions</strong></td>
<td><strong>2.2. Definitions</strong></td>
</tr>
</tbody>
</table>

**m)** "innovation clusters" means groupings of independent undertakings — innovative start-ups, small, medium and large undertakings as well as research organisations — operating in a particular sector and region and designed to stimulate innovative activity by promoting intensive interactions, sharing of facilities and exchange of knowledge and expertise and by contributing effectively to technology transfer, networking and information dissemination among the undertakings in the cluster. Preferably, the Member State should intend to create a proper balance of SMEs and large undertakings in the cluster, to achieve a certain critical mass, notably through specialisation in a certain area of R&D&I and taking into account existing clusters in the Member State and at Community-level.

**n)** "innovation platforms", in open access, mainly at the service of clusters and their members, innovation platforms are designed to facilitate the development of mutualised research, development and innovation infrastructures to provide companies with the means to move from design to the development of their innovations, and lead to industrialization and marketing. Innovation platforms must facilitate research, development and innovation projects with strong economic benefits, through trials, testing, the development of prototypes or pre-series, tests in a real environment, and also serve as living labs. By facilitating meetings between researchers from public and private companies of all sizes, these mutualised structures aim to strengthen the innovation process and allow companies to move faster and further in their projects.
5.8. Aid for innovation clusters

Investment aid may be granted for the setting up, expansion and animation of innovation clusters exclusively to the legal entity operating the innovation cluster. This entity shall be in charge of managing the participation and access to the cluster’s premises, facilities and activities. Access to the cluster’s premises, facilities and activities must not be restricted and the fees charged for using the cluster’s facilities and for participating in the cluster’s activities should reflect their costs.

Such aid may be granted for the following facilities:

- facilities for training and research centre;
- open-access research infrastructures: laboratory, testing facility;
- broadband network infrastructures.

The maximum aid intensity is 15%.

In the case of regions falling under Article 87(3)(a) of the EC Treaty, the Commission considers that the intensity must not exceed:

- 30% for regions with less than 75% of average EU-25 GDP per capita, for outermost regions with higher GDP per capita and until 1 January 2011 statistical effect regions [39],
- 40% for regions with less than 60% of average EU-25 GDP per capita,
- 50% for regions with less than 45% of average EU-25 GDP per capita.

In recognition of their specific handicaps, the outermost regions will be eligible for a further bonus of 20% if their GDP per capita falls below 75% of the EU-25 average and 10% in other cases.

The statistical effect regions which fall under the derogation under Article 87(3)(c) of

Operating aid

Operating aid for cluster animation may be granted to the legal entity operating the innovation cluster.

The cumulation of annual public aids (European, national and local) must not exceed 80% of the global amount dedicated to cluster animation activities.
the EC Treaty from 1 January 2011 will be eligible for an aid intensity of 20 %.

In the case of aid being granted to an SME, the maximum intensities shall be increased by 20 percentage points for aid granted to a small enterprise and by 10 percentage points for aid granted to a medium-sized enterprise.

The eligible costs shall be the costs relating to investment in land, buildings, machinery and equipment.

Operating aid for cluster animation may be granted to the legal entity operating the innovation cluster. Such aid must be temporary and, as a general rule, must be abolished over time, so as to provide an incentive for prices to reflect costs reasonably rapidly.

Such aid may be granted for a limited duration of five years where the aid is degressive. Its intensity may amount to 100 % the first year but must have fallen in a linear fashion to zero by the end of the fifth year. In the case of non-degressive aid, its duration is limited to five years and its intensity must not exceed 50 % of the eligible costs. In duly justified cases, and on the basis of convincing evidence provided by the notifying Member State, aid for cluster animation may be granted for a longer period of time, not exceeding 10 years.

The eligible costs shall be the personnel and administrative costs relating to the following activities:

- marketing of the cluster to recruit new companies to take part in the cluster,
- management of the cluster’s open-access facilities,
- organisation of training programmes, workshops and conferences to support knowledge sharing and networking between the members of the cluster.

When notifying investment aid or aid for cluster animation, the Member State must provide an analysis of the technological specialisation of the innovation cluster, existing regional potential, existing research capacity, presence of clusters in the Community with similar purposes and potential market volumes of the activities in the cluster.

5.9. Aid for innovation platforms

When notifying investment aid or aid for the animation of an innovation platform, the Member State must provide an analysis of the technological specialisation of the innovation platform, existing regional potential, existing research capacity, presence of platforms in the Community with similar purposes and potential market volumes of the activities in the platform.

**Investment aid**

Investment aid may be granted to set up, to expand and to perpetuate innovation platforms. This aid shall exclusively be granted to the legal entity operating the innovation platform. For an innovation platform that is jointly financed by regions in at least two different Member States, the funding can be based on one single scheme.

The eligible costs shall be the costs relating to immaterial and material investments (land, buildings, machinery, equipment).

*The maximum aid intensity is 50 %.*

In the case of aid being granted to an SME, the maximum intensities shall be increased by 20 percentage points for aid granted to a small enterprise and by 10 percentage points for aid granted to a medium-sized enterprise.
access basis within not for profit research organisations should be assessed using the provisions set out in section 3.1.

| points for aid granted to a medium-sized enterprise. |
| Operating aid |

Operating aid for the animation of innovation platforms may be granted to the legal entity operating the innovation platform. Such aid may be granted for a limited duration of ten years where the aid is degressive. Its intensity may amount to 100% the first year but must have fallen in a linear fashion to 50% by the end of the fifth year. The intensity of the aid must not exceed 50% for the five next years and must have fallen to zero by the end of the tenth year.

The eligible basis for support regarding operating aids must not exceed eight million euros annually.

The eligible costs are thus the personnel and administrative costs as well as overheads relating to the following activities:

- marketing of the cluster to recruit new companies to take part in the platform,
- management of the platform’s open-access facilities,
- organisation of training programmes, workshops and conferences to support knowledge sharing and networking between the members of the platform.