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**Subject: State aid N 745/2006 – Belgium  
Regional aid map 2007-2013**

Madam,

**1. PROCEDURE**

- (1) By e-mails dated 16 November 2006 and 17 November 2006, registered at the Commission on the same dates (A/39132 and A/39209) Belgium notified its regional aid map for the period 1.1.2007 – 31.12.2013.
- (2) By letter of 18 December 2006 (D/1502), the Commission requested some clarifications and the Belgian authorities submitted the required information by letters of 12 January 2007 (A/30418), 16 January 2007 (A/30463) and 30 January 2007 (A/30922).
- (3) On 21 December 2005, the Commission adopted the *Guidelines on National Regional Aid for 2007-2013*<sup>1</sup> (hereinafter “RAG”). In accordance with paragraph 100 of the RAG each Member State should notify to the Commission following the procedure of Article 88(3) of the Treaty, a single regional aid map covering its entire national territory which will apply for the period 2007-2013. In accordance with paragraph 101, the approved regional aid map is to be published in the Official Journal of the European Union, and will be considered an integral part of the RAG.

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<sup>1</sup> OJ C 54, 4.3.2006, p. 13

Son Excellence Monsieur Karel DE GUCHT  
Ministre des Affaires étrangères  
Rue des Petits Carmes, 15  
B - 1000 Bruxelles

## 2. DESCRIPTION

- (4) For the period between 1 January 2000 and 31 December 2006<sup>2</sup> 30.9% of the Belgian population lived in regions which were eligible under the derogation of Article 87(3)(c) of the EC Treaty.
- (5) The Belgian authorities propose that for the period 2007-2010 the Province of Hainaut as a statistical effect region with 12.4% of their population should be eligible to receive regional investment aid under the derogation of Article 87(3)(a) of the EC Treaty at aid intensity of 30% GGE<sup>3</sup>.
- (6) The Belgian authorities propose also that for the period 2007-2013 a further 13.5% of their population should be eligible to receive regional investment aid under the derogation of Article 87(3)(c) of the EC Treaty at aid intensity of 15% or 10%. Of this 13.5% population coverage, 6% is allocated to the Flemish Region, 6% to the Walloon Region and 1.5% to the Brussels Capital Region.
- (7) All the proposed aid ceilings are those for investments by large enterprises. For medium sized enterprises<sup>4</sup> these aid ceilings can be increased<sup>5</sup> by 10 percentage points and for small enterprises<sup>6</sup> by 20 percentage points. However, as far as the eligible regions situated in BE2 Vlaams Gewest are concerned, the Belgian authorities renounce to this possibility. For those regions the proposed aid ceilings apply without distinction to all types of enterprises.

### 2.1. Article 87(3)(a) regions: Statistical effect regions

- (8) The NUTS II region BE32 Hainaut, with a GDP<sup>7</sup> per capita of 75.46% of the EU-25 average and a population of 1,290,079 in 2006<sup>8</sup> is proposed for eligibility under the derogation of Article 87(3)(a) of the EC Treaty until 31.12.2010 as a statistical effect regions with an aid ceiling of 30%. In 2010 an assessment will take place on the basis of the then available three year average of GDP per capita. If the GDP per capita falls under 75% of the EU-25 average, the region remains eligible under the derogation of Article 87(3)(a) of the EC Treaty with an aid ceiling of 30%, if not, it will become eligible under the derogation of Article 87(3)(c) of the EC Treaty with an aid ceiling of 20%.

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<sup>2</sup> State aid N 229/99 – Belgium – Regional aid map 2000-2006 (SG(2000)D/107850).

<sup>3</sup> As from 1.1.2007 all aid intensities are expressed in Gross Grant Equivalent.

<sup>4</sup> As defined in the Annex of Commission Regulation (EC) No 364/2004 of 25 February 2004 amending Regulation (EC) 70/2001, OJ L 63, 28.2.2004, p. 22, or any successor regulation.

<sup>5</sup> Except for aid awarded in the transport sector and aid for large investment projects.

<sup>6</sup> See footnote 4.

<sup>7</sup> Gross Domestic Product expressed in Purchasing Power Standards per capita for the years 2000-2002 (EU25 = 100).

<sup>8</sup> Population per commune as per 1.1.2006.

## 2.2. Article 87(3)(c) regions proposed for the whole period 2007-2013

### 2.2.1. Regions designated under paragraph 30 (c) of the RAG

- (9) The following zones constituted by entire communes are proposed for eligibility under the derogation of Article 87(3)(c) of the EC Treaty with an aid ceiling of 15% GGE for the whole period 2007-2013:

#### In BE2 Vlaams Gewest

Name	GDP	Population 2006
<b>Zone BE2-1 West-Vlaamse cluster</b>		
In the NUTS-III BE252 Diksmuide	79.5	
– Diksmuide		15,733
– Lo-Reninge		3,306
In the NUTS-III BE253 Ieper	90.8	
– Ieper		34,897
In the NUTS-III BE255 Oostende	87.0	
– Middelkerke		17,841
– <u>Oostende</u>		68,931
Total		140,708
<b>Zone BE2-4 Herstappe/Tongeren<sup>9</sup></b>		
In the NUTS-II BE22 Limburg (B)	98.4	
– Herstappe		82
– <u>Tongeren</u>		29,687
Total		29,769
<b>Zone BE2-5 Limburgse cluster</b>		
In the NUTS-II BE22 Limburg (B)	98.4	
In the NUTS-III BE221 Hasselt <sup>10</sup>	120.3	
– As		7,497
– Beringen		41,072
– Genk		63,787
– Leopoldsburg		14,403
– Heusden-Zolder		30,769
In the NUTS-III BE222 Maaseik	85.4	
– Bree		14,503
– Lommel		31,898
– Maaseik		23,631
– Hechtel-Eksel		11,473
– Dilsen-Stokkem		19,106
– Helchteren		29,945
In the NUTS-III BE223 Tongeren	69.0	
– Lanaken		24,485
– <u>Maasmechelen</u>		36,255
Total		348,824

<sup>9</sup> This zone is contiguous to Zone BE3-1, Bassin Liégeois.

<sup>10</sup> As this NUTS-III region has a GDP per capita above the EU-25 average (120.3) and an unemployment rate below the EU-25 average (67.6), the aid intensity for the underlying communes has to be limited to 10% in virtue of paragraph 47 of the RAG.

### In BE3 Région Wallonne

Name	GDP	Population 2006
<b>Zone BE3-1 Bassin Liégeois</b>		
In the NUTS-II BE33 Liège	87.7	
– Engis		5,686
– Awans		8,696
– Flémalle		25,140
– Grâce –Hollogne		21,753
– Herstal		37,319
– Liège		187,086
– Oupeye		23,581
– Saint-Nicolas		22,666
– Seraing		60,740
– Visé		16,817
Total		409,484

Name	GDP	Population 2006
<b>Zone BE3-5 Ardenne</b>		
In the NUTS-II BE34 Luxembourg (B)	82.9	
– Bastogne		14,144
– Bertogne		2,932
– Vielsalm		7,325
– La-Roche-en-Ardenne		4,267
– Marche-en-Famenne		16,994
– Libin		4,619
– Libramont-Chevigny		9,851
– Neufchâteau		6,539
– Tellin		2,346
– Dinant		13,012
– Houyet		4,485
– Rochefort		12,038
– Somme-Leuze		4,656
Total		103,208

### 2.2.2. Regions designated under paragraph 30 (g) of the RAG

- (10) The following zones constituted by entire communes are proposed for eligibility under the derogation of Article 87(3)(c) of the EC Treaty with an aid ceiling of 15% GGE for the whole period 2007-2013:

#### In BE2 Vlaams Gewest

Name	GDP	Population 2006
<b>Zone BE2-2 Wervik</b>		
In the NUTS-III BE253 Ieper	90.8	

– Wervik		17,607
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**Zone BE2-3 Ronse**

In the NUTS-III BE235 Oudenaarde	95.9	
– Ronse		24,158

**In BE3 Région Wallonne**

Name	GDP	Population 2006
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**Zone BE3-3 Tubize**

In the NUTS-III BE310 Nivelles	112.6	
– Tubize		22,335

**Zone BE3-4 Sambreville**

In the NUTS-III BE352 Namur	92.2	
– Sambreville		26,949

**2.2.3. Regions designated under paragraph 30 (h) of the RAG**

- (11) The following zones constituted by entire communes are proposed for eligibility under the derogation of Article 87(3)(c) of the EC Treaty with an aid ceiling of 10% GGE for the whole period 2007-2013:

**In BE2 Vlaams Gewest**

Name	GDP	Population 2006
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**Zone BE2-6 Kempense cluster**

In the NUTS-III BE213 Turnhout	119.2	
– Balen		20.276
– Dessel		8.773
– Mol		32.751
Total		61.800

**In BE3 Région Wallonne**

Name	GDP	Population 2006
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**Zone BE3-2 Verviers-Dison**

In the NUTS-II BE33 Liège	87.7	
– Dison		14,243
– Verviers		53,597
Total		67,840

**2.2.4. Regions designated under paragraph 31 of the RAG**

- (12) Parts of the following communes, as specified in the annex to this decision, are proposed for eligibility under the derogation of Article 87(3)(c) of the EC Treaty, with a basic aid ceiling of 15% GGE for the whole period 2007-2013, for SME only, so that after applying the SME bonuses of 10% and 20%, the maximum permitted aid intensities are 25% for medium sized enterprises and 35% for small enterprises:

### In BE1 Région de Bruxelles-Capitale/Brussels Hoofdstedelijk Gewest

Name	GDP	Pop. 2003 <sup>11</sup>	Unemp- loyment
In the NUTS-II BE10 Bruxelles/Brussel	237.1		193.0
– Anderlecht		20.388	
– Bruxelles/Brussel		39.209	
– Evere		4.704	
– Forest/Vorst		4.616	
– Molenbeek-Saint-Jean/Sint-Jans-Molenbeek		38.926	
– Saint-Gilles/Sint-Gillis		14.880	
– Saint-Josse-Ten-Noode/Sint-Joost-Ten-Noode		3.934	
– Schaerbeek/Schaarbeek		27.746	
– <u>Uccle/Ukkel</u>		<u>557</u>	
Total		154.960	

### 3. ASSESSMENT

#### 3.1. Article 87(3)(a) regions proposed for the period 2007-2010

- (13) Paragraph 18 of the RAG defines “statistical effect” regions as regions at NUTS II level which have a GDP per capita of more than 75% of the EU-25 average, but less than 75% of the EU-15 average<sup>12</sup>. In Belgium, the NUTS II of BE32 Hainaut is concerned, as shown by its GDP per capita of 75.46.
- (14) Paragraph 19 of the RAG provides that these regions will be eligible for the derogation of Article 87(3)(a) of the EC Treaty on a transitional basis until 31 December 2010.
- (15) Paragraph 20 of the RAG foresees that the Commission will in 2010 review the position of these regions on the basis of the three-year average of the most recent GDP data available from Eurostat. If the GDP has declined below 75% of the EU-25 average, the region will continue to be eligible for the derogation under Article 87(3)(a) of the EC Treaty. Otherwise they will become eligible for aid under the derogation of Article 87(3)(c) of the EC Treaty from 1.1.2011 until 31.12.2013.
- (16) In accordance with paragraph 44 of the RAG the intensity of regional aid must not exceed 30% for statistical effect regions until 1.1.2011 and paragraph 46 of the RAG provides that the statistical effect regions which fall under the derogation of Article 87(3)(c) of the EC Treaty from 1.1.2011 will be eligible for an aid ceiling of 20%.
- (17) The designation of Hainaut and the aid intensity proposed are thus in line with the provisions of the RAG.

<sup>11</sup> The most recent population figures available for these parts of communes are from the year 2003.

<sup>12</sup> 75% of the average EU-15 GDP per capita corresponds for the years 2000-2002 to 82.2% of the average EU-25 GDP per capita.

### 3.2. Article 87(3)(c) regions proposed for the whole period 2007-2013

(18) Annex V of the RAG allocated Belgium a population coverage of 13.5% eligible for national regional state aid for the period 2007-2013 under the derogation of Article 87(3)(c) of the EC Treaty. Belgium counted on 1.1.2006 10,511,382 inhabitants. The population eligible under Article 87(3)(c) of the EC Treaty for coverage for the period 2007-2013 is therefore 1,419,037.

#### 3.2.1 Regions designated under paragraph 30 (c) of the RAG

(19) In accordance with paragraph 30(c) of the RAG, Member States may select regions which form contiguous zones with a minimum population of at least 100,000 and which are located within either NUTS-II or NUTS-III regions which have either a GDP per capital of less than the EU-25 average, or which have an unemployment rate which is higher than 115% of the national average.

(20) The Belgian authorities notified five contiguous zones to be eligible for regional aid under this paragraph with a basic aid intensity of 15% or 10%. The following table lists per zone the concerned NUTS-II or NUTS-III regions and their GDP and unemployment figures

Code	Name	Population	GDP	Unemployment <sup>13</sup>
BE2-1	<b>West-Vlaamse cluster</b>	140,708		
BE252	Diksmuide		79.5	36.3
BE253	Ieper		90.8	41.5
BE255	Oostende		87.0	67.4
BE2-4	<b>Herstappe/Tongeren</b> (one zone with BE3-1 Bassin Liégeois)	29,769		
BE223	Tongeren		69.0	60.5
BE2-5	<b>Limburgse cluster</b>	348,824		
BE22	Limburg (BE)		98.4	61.2
BE221	Hasselt		120.3	67.6
BE222	Maaseik		85.4	51.2
BE223	Tongeren		69.0	60.5
BE3-1	<b>Bassin Liégeois</b>	409,484		
BE331	Huy		73.7	108.2
BE332	Liège		93.3	148.3
BE3-5	<b>Ardenne</b>	103,208		
BE342	Bastogne		69.0	75.3
BE343	Marche-en-Famenne		88.9	94.4
BE344	Neufchateau		84.2	72.3
BE351	Dinant		68.9	101.1

<sup>13</sup> Unemployment figures average 2001-2003 (EU-25 = 100)

- (21) All of the zones proposed under paragraph 30(c) of the RAG have a population exceeding 100,000. All of the zones are situated in NUTS-II or NUTS-III regions which have a GDP below the EU-25 average, as summarised in the table above. The proposed aid intensity of 15% for the parts of the zones situated in these NUTS-III regions is in line with the RAG. Furthermore, all the areas proposed form contiguous zones. All the criteria of paragraph 30(c) of the RAG are thus fulfilled.
- (22) As far as the part of the Limburgse cluster situated in the NUTS-III region of BE221 Hasselt is concerned, the Belgian authorities correctly applied the reduced aid intensity of 10% in accordance with paragraph 47 of the RAG.
- (23) The designation of the above zones is thus in line with the provisions of the RAG.
- (24) The total population designated under paragraph 30(c) amounts to 1.031.993 inhabitants, which represents 9.82% of the Belgian population.

### **3.2.2 Regions designated under paragraph 30 (g) of the RAG**

- (25) According to paragraph 30(g) of the RAG, NUTS III regions or parts thereof adjacent to a region which is eligible for support under Article 87(3)(a) of the EC Treaty can be designated for support under Article 87(3)(c) EC of the EC Treaty.
- (26) According to paragraph 48 of the RAG, regions adjoining a region with Article 87(3)(a) status selected by Member States for coverage under Article 87(3)(c) are always eligible for an aid intensity of 15% GGE.
- (27) The Belgian authorities notified 4 separate zones constituted of one commune each, which are all bordering BE32 Hainaut, at a basic aid intensity of 15%. Hainaut is a statistical effect region and is eligible under Article 87(3)(a) of the EC Treaty with an aid intensity of 30% until 31.12.2010.
- (28) The proposed zones are BE2-2 Wervik in the NUTS-III of BE253 Ieper, BE2-3 Ronse in the NUTS-III of BE235 Oudenaarde, BE3-3 Tubize in the NUTS-III of BE310 Nivelles and BE3-4 Sambreville in the NUTS-III of BE352 Namur. All of which are adjacent to BE32 Hainaut.
- (29) The conditions of paragraph 30(g) of the RAG are thus met, at least till the end of 2010. If, following the review in 2010 the status of Hainaut remains unchanged, the status of these communes remains also unchanged for the rest of the period till 31.12.2013.
- (30) If, however, the status of Hainaut changes from eligibility under 87(3)(a) with an aid intensity of 30% to eligibility under 87(3)(c) with an aid intensity of 20%, the status of these four zones also has to be reconsidered as they will then no longer border an 87(3)(a) region.



- (31) As far as the zones of BE2-2 Wervik, BE2-3 Ronse and BE3-4 Sambreville are concerned, the Belgian authorities propose already now that, in the case that this change in status takes place, these three zones should be considered as forming one contiguous area together with Hainaut under the derogation of paragraph 30(c) of the RAG for the rest of the period till 31.12.2013 at an aid intensity of 15%. The three NUTS-III regions of BE253 Ieper (90.8), BE235 Oudenaarde (95.9) and BE352 Namur have a GDP per capita below the EU-25 average. Taking their population (17,607 + 24,158 + 26,949) together with the population of Hainaut (1,290,079), this zone forms undoubtedly a contiguous zone of more than 100,000 inhabitants. All conditions of paragraph 30(c) of the RAG are thus fulfilled for the period 1.1.2011-31.12.2013, irrespective of the future status of Hainaut.
- (32) The status of the zone BE3-3 Tubize will however have to be reassessed at in 2010 as the NUTS-III BE310 Nivelles to which it belongs has at the same moment a GDP per capita (112.6) higher than the EU-25 average and an unemployment figure (77.8) below the EU-25 average. An alternative proposal might be made by the Belgian authorities at that time. At present, however, the eligibility for Tubize to receive regional investment has to be limited to 31.12.2010.
- (33) The total population designated under paragraph 30(g) amounts to 91.049 inhabitants, which represents 0.87% of the Belgian population.

### **3.2.3. Regions designated under paragraph 30 (h) of the RAG**

- (34) According to paragraph 30 (h) of the RAG, in duly justified cases, Member States may also designate other regions which form contiguous zones with a minimum population of at least 50,000 which are undergoing major structural change, or are in serious relative decline, when compared with other comparable regions. It will be the task of the Member States which wish to use this possibility to demonstrate that the award of regional investment aid in the region concerned is justified, using recognised economic indicators and comparisons with the situation at Community level.
- (35) The Belgian authorities notified two regions: BE2-6 Kempense cluster and BE3-2 Verviers-Dison, which form contiguous zones with a minimum population of at least 50,000. The Belgian authorities provided detailed explanations for these zones based on recognised economic indicators and comparisons with the situation at Community level, which are briefly summarised below.

#### **In BE2 Vlaams Gewest**

##### **BE2-6 Kempense cluster**

- (36) This zone consists of the communes of Balen, Dessel and Mol in the NUTS-III region of BE213 Turnhout with a total population of 61.800. These communes are characterised by an important presence of the nuclear sector. The Belgian authorities adopted in 2003 a law which foresees a reduction in nuclear power generation in the years to come. This will put at stake 1.800 direct and 3.500 indirect jobs in the nuclear enterprises situated in these three communes. This

zone is proposed in order to help this region to cope with the announced closure of these plants and to diversify economic activity.

- (37) The Commission considers that the detailed arguments provided by the Belgian authorities, and summarised above make it possible to consider that the region is indeed undergoing major structural change in the sense of paragraph 30 (h) of the RAG. The Commission notes that the NUTS-III region BE213 Turnhout has at the same time an unemployment rate below the EU-25 average (54.5) and a GDP per capita above the EU-25 average (119.2). The Belgian authorities correctly applied the reduced aid intensity of 10% in accordance with paragraph 47 of the RAG.

**In BE3 Région Wallonne**  
**BE3-2 Verviers-Dison**

- (38) The proposed zone consists of the communes of Verviers and Dison, situated in the NUTS-III region of BE333 Verviers with a total population of 67.840. These communes are part of the "zones franches urbaines" recognised by the Walloon authorities and they were eligible under Objective 2 of the Structural Funds for the period 2000-2006 and were covered by the regional aid map. According to a synthetic indicator used to rank all communes in the Walloon Region in decreasing order of problems, these communes are ranked as number 4 (Dison) and 7 (Verviers). Within the NUTS-II region of Liège they are among the three most disadvantaged communes. Unemployment is very high and still increasing. The most recent unemployment figures (2005) are for the NUTS-III region of Verviers (10.8%), for the NUTS-II region of Liège (13.3%) and for the Walloon Region (14.2%). However, the proposed zone has an unemployment rate of 27.5%. Unemployment increased between 2003 and 2005 by 8.9% in the zone in question.
- (39) The Commission considers that the detailed arguments provided by the Belgian authorities, and summarised above make it possible to consider that the region is indeed undergoing serious relative decline in the sense of paragraph 30 (h) of the RAG. The Commission notes that the NUTS III region BE333 Verviers has an unemployment rate below the EU-25 average (82.8) and a GDP per capita below the EU-25 average (88.1). Therefore an aid intensity of 15% for the designated areas is in line with the RAG.
- (40) The total population proposed under 30(h) amounts to 129,640, which represents 1.23% of the Belgium population.

**3.2.4. Regions designated under paragraph 31 of the RAG**

- (41) According to paragraph 31 of the RAG, and in order to allow Member States greater flexibility to target very localised regional disparities, below the NUTS-III level, Member States may also designate other smaller areas which do not meet the conditions described in paragraph 30 of the RAG provided they have a minimum population of 20,000. Regional aid will be approved by the Commission in these areas only for SMEs and the relevant SME bonuses apply. Aid for investments by large companies in these areas, or aids for investments

with eligible expenditure exceeding EUR 25 million will not be approved. It is the task of the Member States to demonstrate that the areas proposed are relatively more in need of economic development than other areas in that region, using economic indicators such as GDP per capita, employment or unemployment levels, local productivity or skill indicators

- (42) The Belgian authorities notified one area and provided detailed explanations and extensive arguments to show that this area meets the requirements of paragraph 31 of the RAG, which are summarised in the following section:

**In BE1-1 Bruxelles-Capitale/Brussel-Hoofdstad**

- (43) The Belgian authorities notified parts of the following communes to be eligible for aid under this derogation: Anderlecht, Bruxelles/Brussel, Evere, Forest/Vorst, Molenbeek-Saint-Jean/Sint-Jans-Molenbeek, Saint-Gilles/Sint-Gillis, Saint-Josse-Ten-Noode/Sint-Joost-Ten-Noode, Schaerbeek/Schaarbeek and Uccle/Ukkel, situated in the NUTS-III region Bruxelles-Capitale/Brussel-Hoofdstad with a total population of 154,960<sup>14</sup>.

- (44) The Belgian authorities indicate that the unemployment rate in the region of Bruxelles-Capitale/Brussel-Hoofdstad is almost double the national average (193.3%) and the unemployment rate in the proposed zone is almost the double of that (360%). They explain that the taxable income per inhabitant of the proposed zone is only 52.56% of the national average. The vulnerability of the population in the zone is further demonstrated by the facts that the long term unemployment is at 116% of the national average, the number of low skilled unemployed is higher and the total activity rate lower than the national or regional average. Since the NUTS-III region in question has an unemployment rate which is higher than the EU-25 average (160.9%) these areas are eligible for a basic aid intensity of 15%, so that after the bonuses are added, the applicable aid intensities will be 25% for medium sized enterprises and 35% for small enterprises.

- (45) The total population proposed under this subtitle amounts to 154,960, which represents 1.5% of the Belgian population.

***Overview of the population proposed under 87(3)(c)***

- (46) The population proposed under paragraph 30(c) is 1.031.993, under paragraph 30(g) 91.049, under paragraph 30(h) 129.640 and under paragraph 31 it is 154,960. The total population proposed is thus 1.407.642 inhabitants, which represents 13.39% of the Belgian population.

- (47) The total population proposed by the Belgian authorities as eligible for national regional state aid for the period 2007-2013 under the derogation of Article 87(3)(c) of the EC Treaty therefore respects the population coverage of 13,5% allocated to Belgium in Annex V of the RAG.

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<sup>14</sup> The population figure refers to the year 2003 as this is the most recent year available for the parts of the communes.

### 3.3. General provisions of the map

- (48) In accordance with paragraph 49 of the RAG, except for aid awarded in the transport sector, the preceding aid ceilings can be increased by 10% GGE for medium sized enterprises and 20% GGE for small enterprises. However, in accordance with paragraph 67 of the RAG no SME bonuses are allowed for investment projects with eligible expenditure exceeding EUR 50 million.
- (49) It has to be noted that, as far as the eligible regions situated in BE2 Vlaams Gewest are concerned, the Belgian authorities renounce to this possibility. For those regions the proposed aid ceilings apply without distinction to all types of enterprises.
- (50) Following the assessment above, the aid ceilings for regional investment aid notified by Belgium for the period 2007-2013 are in line with the aid ceilings allowed for under the RAG.
- (51) The Commission recalls that in accordance with paragraph 8 of the RAG, these aid ceilings apply to the processing and marketing of agricultural products only to the extent laid down in the Community guidelines for State aid in the agriculture sector<sup>15</sup>, or any replacement guidelines.
- (52) The Commission takes note of the following commitments given by the Belgian authorities in the notification:
- (a) The Belgian authorities confirmed that only the regions defined in the regional aid map published by the Commission pursuant to this notification will be eligible for regional investment aid in accordance with the RAG, or any state aid block exemption regulation relevant for regional aid.
  - (b) The Belgian authorities confirmed that only small enterprises with their economic activity in the regions identified in the regional aid map published by the Commission pursuant to this notification will be eligible for aid for newly created small enterprises as provided for in section 6 (paragraphs 84-91) of the RAG.
  - (c) The Belgian authorities confirmed that all plans to grant regional aid will be notified to the Commission in accordance with Article 88(3) of the EC Treaty, either as an aid scheme, or as an individual notification unless a State aid exemption regulation applies.
  - (d) The Belgian authorities confirmed that all regional investment aid will respect the ceilings defined in the region concerned in the regional aid map published by the Commission pursuant to this notification.
  - (e) The Belgian authorities confirmed that for large investment projects the upper ceilings defined in respect of the region concerned in the regional aid map published by the Commission pursuant to this

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<sup>15</sup>

OJ C 28 of 1.2.2000, p.2. Corrigendum OJ C 232, 12.8.2000 p. 17.

notification will be adjusted according to the formula in paragraph 67 of the RAG.

- (f) The Belgian authorities confirmed that all large investment projects for which the amount of aid proposed is more than the maximum allowable amount of aid an investment with eligible expenditure of EUR 100 million can receive under the scale laid down in paragraph 67 of the RAG, will be notified individually to the Commission.

### **3.4. Appropriate measures**

- (53) By letter of 6 March 2006, reference D/(06)219, the Commission proposed appropriate measures to the Belgian authorities by which, inter alia, the application of their existing regional aid schemes is limited until 31 December 2006. The Belgian authorities accepted these appropriate measures unconditionally in three times; by e-mail of 21 April 2006 (A/33053) for BE2 Vlaams Gewest, by letter of 11 May 2006 (A/33790) for BE1 Région de Bruxelles-Capitale/Brussels Hoofdstedelijk Gewest and by letter of 11 May 2006 (A/33833) for BE3 Région Wallonne.

## **4. DECISION**

- (54) The Commission has accordingly decided:

- to consider the Belgian regional aid map for 2007-2013 as set out in the Annex to be compatible with the EC Treaty as it fulfils the conditions as stipulated in the Guidelines on national regional aid for 2007-2013. This map is valid from 1 January 2007 until 31 December 2013.
- to review in 2010 the position of the statistical effect region of BE32 Hainaut in accordance with the conditions set out in paragraph 20 of the regional aid guidelines as well as the specific status of BE3-3, the Commune of Tubize.
- to publish the map as presented in the Annex to this decision in the Official Journal of the European Union. The full text of this letter in the authentic language will be published on the Internet site: [http://ec.europa.eu/community\\_law/state\\_aids/index.htm](http://ec.europa.eu/community_law/state_aids/index.htm).

Any request concerning this letter should be sent by registered letter or fax to:

European Commission  
Directorate-General for Competition  
Directorate for State Aid I  
State Aid Greffe  
B – 1049 Brussels  
Fax No: 0032.2.296 12 42

Yours faithfully,  
For the Commission

*Neelie KROES*  
Member of the Commission

**Guidelines on National Regional aid for 2007-2013**

*(OJ C 54, 4.3.2006, p. 13)*

**Belgium - National regional state aid map 1.1.2007-31.12.2013**

**(Approved by the Commission on...)**

NUTSII - III	Name	Ceiling for regional investment aid <sup>1</sup> (applicable to large enterprises)	
		1.1.2007-31.12.2013	
<b>1. Regions eligible for aid under Article 87(3) (a) of the EC Treaty until 31.12.2010<sup>2</sup> (Statistical effect regions)</b>			
		1.1.2007-31.12.2010	1.1.2011-31.12.2013
<b>BE32</b>	<b>Hainaut</b>	<b>30%</b>	<b>20%</b>
<b>2. Regions eligible for aid under Article 87(3)(c) of the EC Treaty for the whole period 2007-2013</b>			
<b>BE2-1</b>	<b>West-Vlaamse cluster (the communes of)</b>	15% (*)	
Diksmuide, Lo-Reninge, Ieper, Middelkerke, Oostende			
<b>BE2-2</b>	<b>Wervik</b>	15% (*)	
<b>BE2-3</b>	<b>Ronse</b>	15% (*)	
<b>BE2-4</b>	<b>Tongeren/Herstappe</b>	15% (*)	
Herstappe, Tongeren			
<b>BE2-5</b>	<b>Limburgse-cluster (the communes of)</b>	15% (*)	
Bree, Lommel, Maaseik, Hechtel-Eksel, Helchteren, Dilsen-Stokkem, Lanaken, Maasmechelen			
<b>BE2-5</b>	<b>Limburgse-cluster (the communes of)</b>	10% (*)	
As, Beringen, Genk, Leopoldsburg, Heusden-Zolder			

<sup>1</sup> For investment projects with eligible expenditure not exceeding EUR 50 million, with the exception of the eligible zones in the Flemish Region marked with (\*), this ceiling is increased by 10 percentage points for medium sized companies and 20 percentage points for small companies as defined in the Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36). For large investment projects with eligible expenditure exceeding EUR 50 million, this ceiling is subject to adjustment in accordance with paragraph 67 of the Guidelines on national regional aid for 2007-2013.

(\*) As far as the eligible zones in the Flemish Region are concerned, the aid intensities shown are those applicable to all enterprises irrespective of their size.

<sup>2</sup> This region might remain eligible under Article 87(3)(a), in which case the ceiling for the period 1.1.2011-31.12.2013 will be increased to 30%, if a review to be undertaken in 2010 shows that the GDP per capita of the region concerned has fallen below 75% of the EU-25 average.

<b>BE2-6</b>	<b>Kempense cluster (the communes of)</b>	10%(*)
Balen, Dessel, Mol		
<b>BE3-1</b>	<b>Bassin liégeois (the communes of)</b>	15%
Engis, Awans, Flémalle, Grâce-Hollogne, Herstal, Liège, Oupeye, Saint-Nicolas, Seraing, Visé		
<b>BE3-2</b>	<b>Verviers-Dison</b>	15%
Dison, Verviers		
<b>BE3-3</b>	<b>Tubize</b>	15% <sup>(3)</sup>
<b>BE3-4</b>	<b>Sambreville</b>	15%
<b>BE3-5</b>	<b>Ardenne (the communes of)</b>	15%
Bastogne, Bertogne, Vielsalm, La-Roche-en-Ardenne, Marche-en-Famenne, Libin, Libramont-Chevigny, Neufchâteau, Tellin, Dinant, Houyet, Rochefort, Somme-Leuze		
<b>3. Regions eligible for aid under Article 87(3)(c) of the EC Treaty for the whole period 2007-2013 for higher rates of SME aid only, with a basic aid intensity of 15%</b>		
BE10	<b>Région de Bruxelles-Capitale / Brussels Hoofdstedelijk Gewest (only the indicated parts of the following communes)</b>	
<p><b>Anderlecht</b> (Ceria-Zone d'Habitat, Petite Ile-Rive Droite, Ceria I, Birmingham, Rosee-Est, Rosee-Ouest, Abattoir, Conseil-Nord, Brogniez-Nord, Brogniez-Sud, Conseil-Sud, Revision-Sud, Revision-Nord, Albert I-Immeubles, Albert I-Quartier, Goujons, Deux Gares)</p> <p><b>Bruxelles/Brussel</b> (Quai des Usines-Monnoyer, Haren-Sud-Ouest, Haren-Sud, Haren-Est, Gare de Formation, Marly-Sud, rue des Faines, rue du Wimpelberg, Trassersweg-Neder-Heembeek, Neder-Heembeek-Nord, Marly-Nord, Saint-François Xavier, Bon Secours – Palais du Midi, Notre-Dame de la Chapelle, Anneessens (Place), Senne (rue de la), Nouveau Marché au Grain, Marché au Porcs, Congrès-Gare, Blaes (rue)-Sud, Blaes (rue)-Centre, Saint-Thomas (Institut), rue des Commerçants, E. Jacquain (Boulevard)-Ouest, Parvis Saint-Roch, Anvers (Chaussée d')-Sud, Anvers (Chaussée d')-Nord, Allée Verte-Bassin Vergote, Masui (Place)-Nord, Quai de Willebroeck, Tour et Taxis)</p> <p><b>Evere</b> (Gare de Formation, Carli, Bon Pasteur, Kerkhoek, Zone industrielle, J. Bordet (Avenue de), Oasis-Provence-Languedoc, Germinal I)</p> <p><b>Forest/Vorst</b> (Bollinckx, Bempt, Charroi (rue de), Pont de Luttre-Ouest, Saint-Antoine)</p> <p><b>Molenbeek-Saint-Jean/Sint-Jans-Molenbeek</b> (Centre, Canal-Sud, Brunfaut (Quartier), Ransfort, Quatre Vents, Saint-Joseph, Duchesse de Brabant, Industrie, Birmingham-Sud, Birmingham-Nord, Independance, Etangs Noirs, Gare Ouest, Marie-José Blocs, Chemin de Fer, Laekenveld, Mexico, Dubrucq-Nord, Ulens, Piers, Lavallée, Canal-Nord)</p> <p><b>Saint-Gilles/Sint-Gillis</b> (Guillaume Tell-Sud, Dethy (rue), Angleterre (rue d'), Regies, Roi (Avenue du), Denmark (rue de), Gare du Midi, Crickx (rue), Jamar, France (rue de))</p> <p><b>Saint-Josse-Ten-Noode/Sint-Joost-Ten-Noode</b> (Saint-François, Saint-Lazare, Rogier, Prairie, Jardin Botanique, Nord, Manhattan)</p> <p><b>Schaerbeek/Schaarbeek</b> (Josaphat Gare, Houffalize (Place), L'Olivier (rue), Royale Sainte-Marie (rue), Brabant (rue de), Vanderlinden (rue), Palais (rue de), Gare du Nord, Reine (Avenue), Stephenson (Place), Brichaut (rue de))</p> <p><b>Uccle/Ukkel</b> (Zwartebeek)</p>		

<sup>3</sup> until 31/12/2010 only