



EUROPEAN COMMISSION

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PUBLIC VERSION

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**Subject: State aid SA.37702 (2013/N) – Germany**  
**German Innovation aid scheme for Shipbuilding**

Sir,

**1. PROCEDURE**

- (1) By letter dated 10 July 2012 the Commission considered the scheme *Richtlinie des Bundesministeriums für Wirtschaft und Technologie zum Förderprogramm „Innovativer Schiffbau sichert wettbewerbsfähige Arbeitsplätze“*, §§ 23, 44 *Bundeshaushaltsordnung und Landeshaushaltsordnungen*, Case SA.34364 (2012/N) (hereafter "the Scheme"), compatible with the TFEU.<sup>1</sup>
- (2) By an electronic notification validated 12 November 2013, registered at the Commission on the same date, the German authorities notified an amendment to the above mentioned scheme.

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<sup>1</sup> With effect from 1 December 2009, Articles 87 and 88 of the EC Treaty have become Articles 107 and 108, respectively, of the TFEU. The two sets of provisions are, in substance, identical. For the purposes of this Decision, references to Articles 107 and 108 of the TFEU should be understood as references to Articles 87 and 88, respectively, of the EC Treaty where appropriate.

Seiner Exzellenz Herrn Dr. Guido WESTERWELLE  
Bundesminister des Auswärtigen  
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## 2. DESCRIPTION

- (3) The objective of the Scheme is to promote innovative shipbuilding, in conformity with the provisions on innovation aid in the Framework on State aid to Shipbuilding<sup>2</sup> (hereinafter "Shipbuilding Framework").
- (4) The subject of the present notification is the prolongation of this Scheme, which was approved by the Commission on 10 July 2012 (SA.34364 (2012/N))<sup>3</sup> until 31 December 2013.
- (5) The present prolongation concerns the period from 1 January 2014 until 30 June 2014.
- (6) Apart from extending its duration, the notified measure does not introduce any changes in substance to the Scheme approved by the Commission on 10 July 2012.

## 3. ASSESSMENT

- (7) The notified measure constitutes State aid within the meaning of Article 107(1) TFEU for the reasons set out in the decision of the Commission authorising the Scheme in case SA.34364.
- (8) In that decision, the Commission assessed the Scheme and concluded that it was compatible with the internal market, pursuant to Article 107(3)(c) TFEU read in conjunction with the Shipbuilding Framework.
- (9) In line with the Shipbuilding Framework, the original Scheme was to expire on 31 December 2013. By decision of 5 December 2013 the Commission prolonged the validity of the Shipbuilding framework until 30 June 2014. By the present notification the German authorities ask the Commission to accordingly approve a prolongation of the previously approved aid Scheme until 30 June 2014.
- (10) Furthermore, on 12 April 2013, the German authorities submitted annual reports on the implementation of the scheme during the year 2012.
- (11) As stated above in recital (6), besides the extension in time of the validity of the scheme, the present notification does not introduce any changes in substance to the previously approved Scheme in case SA.34364. The extension is in line with the prolongation of the Shipbuilding Framework and does not change the substantive assessment of the compatibility of the Scheme conducted in the previous decision.
- (12) Therefore the Commission considers the notified measure to be compatible with the internal market in accordance with Article 107(3)(c) TFEU read in conjunction with the Shipbuilding Framework.

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<sup>2</sup> OJ C 364 of 14.12.2011, p. 9

<sup>3</sup> OJ C 232, of 03.08.2013, p. 1. Link to the publication on the website of DG Competition: [http://ec.europa.eu/competition/state\\_aid/cases/243685/243685\\_1344588\\_159\\_1.pdf](http://ec.europa.eu/competition/state_aid/cases/243685/243685_1344588_159_1.pdf).

#### 4. DECISION

- (13) The Commission has accordingly decided not to raise objections to the notified scheme, SA.34364 (2012/N) - *Richtlinie des Bundesministeriums für Wirtschaft und Technologie zum Förderprogramm „Innovativer Schiffbau sichert wettbewerbsfähige Arbeitsplätze“*, §§ 23, 44 *Bundeshaushaltsordnung und Landshaushaltsordnungen*, on the grounds that it is compatible with the internal market pursuant to Article 107(3)(c) TFEU.

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European Commission  
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Directorate for State Aid  
State Aid Greffe  
B - 1049 Brussels  
Fax No: +32 2 296 12 42

Yours faithfully,

For the Commission

Joaquín Almunia  
Vice-president