

State Aid Register – definitions and explanations

- The State aid Register presents for each case the following information, where available and relevant:
 - Case number** – unique for each case and composed of three (sometimes four) elements (for example **N 793b/1999**):

Letter(s) indicating procedure type	Number	Splitting of the case (occasionally)	Year
There are the following procedure types: N – notified aid case NN – case of unlawful aid, i.e. non-notified aid or aid that was notified but granted before the Commission has reached a decision C – case in which the Commission opened the formal investigation procedure due to doubts as to the compatibility of the measure with the common market CR – case in which the Commission ordered recovery of the aid E – case of existing aid XE – Employment block exemption case XS – SME block exemption case XT – Training block exemption case XA – Block exemption case in Agriculture XF – Block exemption case in Fisheries	Number indicates the serial number of the respective procedure types, registered in a given year	Occasionally a single large case that comprises numerous state aid measures may be split into two or more cases. This split is identified by the 'a', 'b', 'c' etc	Year indicates the year of registration of the case by the Commission

A state aid case (except for block exemption cases) can have several case numbers during its lifetime. For example:

- An N case gets a new NN case number when the Commission receives information that the aid was unlawfully granted
 - An N case, NN case and E case gets a new C case number when the Commission opens an formal investigation procedure
 - A C case gets a CR number when the Commission takes a decision that the aid is incompatible with the common market and orders a recovery
- Working title** of the measure (usually in English or French)
 - Basic socioeconomic data** such as: Member State, primary objective of the aid, region, sector, aid instrument, duration of the measure
 - Case type** – the cases are divided into three categories: schemes (acts of abstract and general character, on the basis of which individual aid awards may be made to undertakings without the necessity of notifying individually to the Commission), individual applications of the scheme (aid granted on the basis of an already approved scheme for which aid the Commission requested the individual notification while approving the scheme) and ad hoc aid (aid which is not granted on the basis of an already approved scheme)
 - Notification or registration date**
 - DG responsible** (state aid cases are dealt with by DG for Competition, DG for Agriculture and Rural Development, DG for Fisheries and Maritime Affairs and DG for Transport and Energy)
 - Related procedures:** links to cases which are somehow connected (procedurally or materially) with the present case

8. List of all **decisions** taken in the case, indicating for each decision: decision date, decision type, link to press release (issued only for the most important cases), links to decision text in the authentic and working language (when available after being cleansed of all confidential information), date of the publication in the Official Journal and link to the Official Journal webpage (when published),

9. **Date closing of procedure**

- **Commission decisions:** the Commission issues the following types of decisions – as defined in the [Council Regulation \(EC\) No 659/1999](#) of 22 March 1999 laying down detailed rules for the application of Article 93 of the EC Treaty (*Official Journal L 83, 27.03.1999, pages 1-9*)

After a preliminary examination (phase I decisions):

1. **decision does not constitute aid** - where the Commission, after a preliminary examination, finds that the notified measure does not constitute aid - art. 4(2)
2. **decision not to raise objections** - where the Commission, after a preliminary examination, finds that no doubts are raised as to the compatibility with the common market of a notified measure, in so far as it falls within the scope of Article 87(1) of the Treaty - art. 4(3)
3. **decision to initiate the formal investigation procedure** - where the Commission, after a preliminary examination, finds that doubts are raised as to the compatibility with the common market of a measure - art. 4(4)

After a formal investigation procedure (phase II decisions):

1. **decision does not constitute aid (after formal investigation procedure)** - where the Commission, after formal investigation procedure, finds that, where appropriate following modification by the Member State concerned, the notified measure does not constitute aid - art. 7(2)
2. **positive decision** - where the Commission, after formal investigation procedure, finds that, where appropriate following modification by the Member State concerned, the doubts as to the compatibility of the notified measure with the common market have been removed - art. 7(3)
3. **conditional decision** - where the Commission attached to a positive decision conditions subject to which an aid may be considered compatible with the common market or laid down monitoring obligations - art. 7(4)
4. **negative decision without recovery** - where the Commission finds that the aid is not compatible with the common market and shall not be put into effect - art. 7(5)
5. **negative decision with recovery** - where the Commission finds that the aid is not compatible with the common market and, as it was unlawful aid, the Commission decides that the Member State concerned shall take all necessary measures to recover the aid from the beneficiary - art. 7(5) with art. 14(1)
6. **decision to close formal investigation procedure following the withdrawal of notification** – art. 8(2)

Other types of decisions:

1. **revocation of decision** - where the Commission decides to revoke its previous decision due to the fact it was based on incorrect information provided during the procedure which was a determining factor for the decision – art. 9
2. **information injunction** – where the Commission requires the Member State to provide the information on alleged unlawful aid in a situation in which the Member State despite a reminder did not provide the information previously requested or provided incomplete information - art. 10(3)

3. **suspension injunction** - where the Commission, after giving the Member State concerned the opportunity to submit its comments, requires the Member State to suspend any unlawful aid until the Commission has taken a decision on the compatibility of the aid with the common market - art. 11(1)
4. **recovery injunction** - where the Commission, after giving the Member State concerned the opportunity to submit its comments, requires the Member State provisionally to recover any unlawful aid until the Commission has taken a decision on the compatibility of the aid with the common market - art. 11(2)
5. **referral to the Court of Justice (non-compliance with injunction)** - art. 12
6. **proposal for appropriate measures** - where the Commission issues a recommendation proposing appropriate measures, after concluding that in the light of the information submitted by the Member State, the existing aid scheme is not, or is no longer, compatible with the common market – art. 18
7. **decision to undertake on-site monitoring** - where the Commission decides to undertake an on-site monitoring visit due to serious doubts as to whether decisions not to raise objections, positive decisions or conditional decisions with regard to individual aid are being complied with - art. 22
8. **referral to the Court of Justice (non-compliance with decision)** - art. 23