Subject: State aid SA.33079 (2011/N) - Germany

Forschung für die Produktion von morgen)
(Alteration of existing State aid N 135/2009)

Dear Sir,

1. PROCEDURE

   (1) By letter dated 26 May 2011, registered at the Commission on the same date, the German authorities notified, according to Article 108(3) of the Treaty on the Functioning of the European Union, a 1-year prolongation and a budget increase of the existing aid scheme N 135/2009 'Research for the Production of Tomorrow' ('Forschung für die Produktion von morgen', hereinafter the "existing aid scheme") that was an alteration of the initial aid scheme N 353/1999. The initial aid measure had been previously altered by the notification N 423/2005. The notification was made under the simplified notification procedure, as provided for under Article 4 of Commission Regulation (EC) No 794/2004.

   3 Approved by the Commission on 07.10.2005, OJ C 2, 5.1.2006, p. 22

Seine Exzellenz Herrn Dr. Guido WESTERWELLE
Bundesminister des Auswärtigen
Werderscher Markt 1
D - 10117 Berlin
2. **THE EXISTING SCHEME 'RESEARCH FOR THE PRODUCTION OF TOMORROW'**

(2) Under the existing scheme, assistance in the form of grants is provided for research and development (R&D) projects into new types of production procedures and equipment based on new technologies. These projects are aimed in particular at developing the potential of new materials and of new physical and chemical technologies which can be used for sustainable solutions.

(3) The programme is intended to provide support for joint projects, in which companies work together, transcending company barriers and creating synergies. Cooperation with universities and research establishments will also be encouraged.

(4) The scheme's legal base is the German Annual Federal Budget Act (*Bundeshaushaltsgesetz*), Section (*Einzelplan*) 30, Chapter (*Kapitel*) 04. Financing is provided from the corresponding budget line (*Fachtitel*) 68324.

(5) The existing scheme's estimated budget amounted to EUR 692.76 million, to be allocated through annual federal budget commitments.

(6) The existing scheme's approved duration is running until 31 December 2011.

(7) Germany has duly submitted annual reports on the implementation of the existing scheme, as required by recital (23) of the Commission's decision that approved it.

3. **THE NOTIFIED ALTERATION TO THE EXISTING AID SCHEME**

(8) The German authorities notified the following alterations:

- A one-year prolongation, from 1 January 2012 until 31 December 2012;

- A new annual budget for 2012, namely EUR 80 million.

(9) Germany confirmed all obligations, set forth in the context of the previous decision, as binding for the prolonged programme.

4. **ASSESSMENT**

(10) The prolongation of the measure was notified in compliance with Article 108(3) of the Treaty on the Functioning of the European Union (TFEU).

(11) The notified measure consists of a prolongation and a budget increase of an existing aid scheme. Furthermore, the German authorities have duly submitted annual reports.

(12) Therefore, the so-called simplified notification procedure can be applied, as stipulated by Article 4, paragraphs 2(b) and 3 of Commission Regulation (EC) No 794/2004.

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(13) The Commission notes that Germany confirmed all obligations, set forth in the context of the previous decision, as binding for the prolonged programme.

(14) Therefore, the Commission maintains the reasoning set out in its previous decision in State aid case N 135/2009 'Research for the Production of Tomorrow' ('Forschung für die Produktion von morgen') and concludes that the existing scheme as altered by the notified measure is compatible with the internal market pursuant to Article 107(3)(c) TFEU in the light of the R&D&I-Framework.\(^6\)

5. DECISION

(15) In the light of the R&D&I-Framework, the Commission concludes that the notified State aid measure SA. 33079 'Research for the Production of Tomorrow' ('Forschung für die Produktion von morgen'), which is an alteration to the existing State aid N 135/2009 'Research for the Production of Tomorrow' ('Forschung für die Produktion von morgen'), is compatible with the internal market, pursuant to Article 107(3)(c) of the TFEU. It accordingly decides not to raise objections to the notified measure.

(16) The Commission reminds the German authorities that, in accordance with Article 108(3) of the TFEU, all plans to refinance, alter or change this aid scheme have to be notified to the Commission.

(17) Prior to implementing the scheme, the German authorities shall publish the full text of the final aid scheme on the internet.

(18) The Commission further reminds the German authorities to submit annual reports on the implementation of the notified scheme.

If this letter contains confidential information, which should not be disclosed to third parties, please inform the Commission within fifteen working days of the date of receipt. If the Commission does not receive a reasoned request by that deadline, you will be deemed to agree to the disclosure to third parties and to the publication of the full text of the letter in the authentic language on the Internet site:

[http://ec.europa.eu/eu_law/state_aids/state_aids_texts_de.htm](http://ec.europa.eu/eu_law/state_aids/state_aids_texts_de.htm)

Your request should be sent by registered letter or fax to:

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

Yours faithfully,  
For the Commission  

Maria DAMANAKI  
Member of the Commission

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