

***THIS FORM SHOULD BE ATTACHED AS AN ANNEX TO THE
STANDARD NOTIFICATION FORM IN SANI2***

**NOTIFICATION TEMPLATE FOR THE TEMPORARY CRISIS
FRAMEWORK FOR STATE AID MEASURES TO SUPPORT THE
ECONOMY FOLLOWING THE AGGRESSION AGAINST UKRAINE BY
RUSSIA**

On 23 March 2022, the Commission adopted the Communication on the Temporary Crisis Framework for State aid measures to support the economy following the aggression against Ukraine by Russia (TCF)¹.

The Commission invites Member States to provide in their notification:

- the general information under **Section I** (including the language waiver in Annex I);
- the additional information under the different points in **Section II**:
 - Point 1: for aid under section 2.1: *Limited amounts of aid*
 - Point 2: for aid under section 2.2: *Liquidity support in the form of guarantees*
 - Point 3: for aid under section 2.3: *Liquidity support in the form of subsidised loans*
 - Point 4: for aid under section 2.4: *Aid for additional costs due to exceptionally severe increases in natural gas and electricity prices*

¹. Communication from the Commission on the Temporary Crisis Framework for State aid measures to support the economy following the aggression against Ukraine by Russia (OJ C 131 I, 24.3.2022, p. 1).

SECTION I: GENERAL INFORMATION

1. Description of the serious disturbance in the economy of your country:

The military aggression against Ukraine by Russia, the sanctions imposed by the Union or its international partners and the counter measures taken, for example by Russia, have created significant economic uncertainties, disrupted trade flows and supply chains and led to exceptionally large and unexpected price increases, especially in natural gas and electricity, but also in numerous other input and raw materials and primary goods, including in the agri-food sector. Those effects taken together have caused a serious disturbance of the economy in all Member States. The Commission considers that State aid is justified and can be declared compatible with the internal market on the basis of Article 107(3)(b) TFEU for a limited period if it serves to remedy the liquidity shortage faced by undertakings that are directly or indirectly affected by the serious disturbance of the economy caused by the Russian military aggression against Ukraine, the sanctions imposed by the Union or by its international partners, as well as the economic counter measures taken, for example by Russia.

The information below aims at clarifying the country-specific situation:

- Please provide data and information on the economic impact in your country, notably in the sectors covered by the scheme and describe how the undertakings that are eligible for aid under the envisaged measure are affected by the current crisis.

Please see the description in section Background of the Notification letter.

2. General description of the aid measure

- National legal basis - please provide a copy;

Act on the Municipal Guarantee Board (487/1996) (Annex 3)
Local Government Act (410/2015), especially Sections 1, 2 and 129 (Annex 4)

- Confirmation of compliance with 108(3) TFEU²: Please confirm that the national legal basis of the notified scheme will be adopted only after notification of the Commission decision; if the legal basis is adopted before notification of the Commission decision, please indicate the provision in that legal basis that includes the ‘standstill obligation’, *i.e.* that aid will be granted only after notification of the Commission approval decision.

Confirmed. Loans and guarantees will not be granted before the Commission has approved the aid scheme.

According to Section 129 (4) of the Local Government Act, municipalities must take into account the provisions of Articles 107 and 108 of the Treaty on the Functioning of the European Union.

- Granting authority and competent authority to manage the scheme, if different;

Granting authorities are municipalities and Municipality Finance Plc (“MuniFin”). Municipal Guarantee Board (“MGB”) manages the scheme in cooperation with MuniFin.

See section Competent authorities of the Notification letter for further information on MuniFin and the MGB.

- Objective of the notified aid measure;

To secure the liquidity of municipal electricity companies which have liquidity problems caused by current or future increase in collateral requirements for future delivery of electricity and which important in securing the supply of electricity (whether at local, regional or national level).

- Budget;

EUR 5 billion (calculated on the basis of a worst case scenario).

- Geographical scope;

Finland

² No aid granted before notification of the Commission's approval.

- Beneficiaries: estimated number / sectors concerned / size of companies concerned, if relevant / exclusions from scope;

20 – 50 municipal electricity companies which are mainly large enterprises.

- Duration:
 - Date of entry into force of the scheme: Date of approval by the Commission
 - Time period in which beneficiaries can submit application for aid: 27.9.2022–31.12.2022
 - Latest date until which individual aid will be granted under the notified measure: 31.12.2022

3. GENERAL CONFIRMATIONS AND COMMITMENTS:

- Confirm that credit and financial institutions are excluded from the scope of the notified aid measure and cannot benefit from the aid, except when those institutions channel aid in form of loans and guarantees in compliance with points 47(h) and 50(g) of the TCF;

Confirmed.

- Confirm that the aid is not conditioned on the relocation of a production activity or of another activity of the beneficiary from another country within the EEA to the territory of the Member State granting the aid. This is irrespective of the number of job losses actually occurred in the initial establishment of the beneficiary in the EEA;

Confirmed.

- Confirm that aid under the notified aid measure will not be granted to undertakings under sanctions adopted by the Union, including but not limited to:
 - a) persons, entities or bodies specifically named in the legal acts imposing those sanctions;
 - b) undertakings owned or controlled by persons, entities or bodies targeted by sanctions adopted by the Union; or
 - c) undertakings active in industries targeted by sanctions adopted by the Union, insofar as the aid would undermine the objectives of the relevant sanctions;

Confirmed.

- Confirm that the notified aid measures may not in any way be used to undermine the intended effects of sanctions imposed by the Union or its international partners and must be in full compliance with the anti-circumvention rules of the applicable regulations (for example, Article 12 of Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 229, 31.7.2014, p. 1). In particular, it must be avoided that natural persons or entities subject to the sanctions benefit directly or indirectly from any such measures;

Confirmed.

- Confirm if aid under the notified measure may be cumulated with de minimis aid³ and/or with aid under the General Block Exemption Regulation⁴ or with aid under the Agricultural Block Exemption Regulation⁵ or with aid under the Fisheries Block Exemption Regulation⁶; in such a case, confirm that the provisions of the relevant Regulations will be respected

No other aid can be granted for the same purpose. The aid beneficiaries may receive de minimis aid or aid under the General Block Exemption Regulation for other eligible cost in which case the provisions of the relevant Regulations will be respected.

- Confirm if aid granted under the notified measure may be cumulated with aid under a measure approved by the Commission under the COVID-TF⁷; in such a case, confirm that the cumulation rules in the COVID-TF and the TCF are respected; Please list the aid measures approved by the Commission under the COVID-TF for which cumulation is allowed;

No other aid can be granted for the same purpose. In case that an aid beneficiary has received aid under the COVID-TF, the cumulation rules of the two temporary frameworks will be respected. Relevant aid schemes under the COVID-TF are

- SA.57059, COVID-19: Loan guarantee and subsidised interest rate loan scheme for undertakings most affected by COVID-19 and
 - SA.56995, COVID-19: Framework Scheme for State aid measures (section 3.1 of the Temporary Framework)
- Confirm if aid granted under the different sections of the TCF may be cumulated with each other; in such a case, confirm that the relevant provisions in the specific sections of the TCF are respected;

Confirmed.

- For agricultural and fisheries measures: Confirm if aid under the measure may be cumulated with other forms of Union financing; in such a case, confirm that the maximum aid intensities indicated in the relevant Guidelines or Regulations are respected;

N/A

- Confirm that SMEs are defined in line with Annex I to the relevant Block Exemption Regulation

Confirmed.

³ Commission Regulation (EU) No 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid (OJ L 352, 24.12.2013, p. 1), Commission Regulation (EU) No 1408/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid in the agriculture sector (OJ L 352, 24.12.2013 p. 9), Commission Regulation (EU) No 717/2014 of 27 June 2014 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid in the fishery and aquaculture sector (OJ L 190, 28.6.2014, p. 45) and Commission Regulation (EU) No 360/2012 of 25 April 2012 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid granted to undertakings providing services of general economic interest (OJ L 114 of 26.4.2012, p. 8).

⁴ Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (OJ L 187,

26.6.2014, p. 1).

- ⁵ Commission Regulation (EU) No 702/2014 of 25 June 2014 declaring certain categories of aid in the agricultural and forestry sectors and in rural areas compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union (OJ L 193, 1.7.2014, p. 1).
- ⁶ Commission Regulation (EU) No 1388/2014 of 16 December 2014 declaring certain categories of aid to undertakings active in the production, processing and marketing of fishery and aquaculture products compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union (OJ L 369, 24.12.2014, p. 37).
- ⁷ Communication from the Commission - Temporary framework for State aid measures to support the economy in the current COVID-19 outbreak (OJ C 91I, 20.3.2020, p. 1), as amended by Commission Communications C(2020) 2215 (OJ C 112I, 4.4.2020, p. 1), C(2020) 3156 (OJ C 164, 13.5.2020, p. 3), C(2020) 4509 (OJ C 218, 2.7.2020, p. 3), C(2020) 7127 (OJ C 340 I, 13.10.2020, p. 1), C(2021) 564 (OJ C 34, 1.2.2021, p. 6), and C(2021) 8442 (OJ C 473, 24.11.2021, p. 1).

- Commit to comply with all the monitoring and reporting provisions in section 3 of the TCF:
 - The obligation to publish relevant information on each individual aid above EUR 100 000 granted under the measure and above EUR 10 000 in the primary agriculture and in the fisheries sectors on the comprehensive State aid website or Commission's IT tool within 12 months from the moment of granting⁸;
 - To keep detailed records regarding the granting of aid for 10 years upon granting of the aid and commit to provide them to the Commission upon request. Such records must contain all information necessary to establish that the necessary conditions set out in the TCF have been observed;
 - To submit annual reports in line with the requirements of Commission Regulation (EC) No 794/2004⁹;

Confirmed.

- Confirm that the notification does not contain confidential information. Otherwise, indicate the information from the notification that contains confidential information;

The figure 2 in the Notification letter (Annex 1) is confidential and must not be disclosed.

Otherwise, the notification does not contain confidential information.

- If the scheme is co-financed by the European Regional Development Fund (ERDF), European Social Fund (ESF), Cohesion Fund (CF), European Agricultural Fund for Rural Development (EAFRD), European Maritime and Fisheries Fund (EMFF), European Union Solidarity Fund (EUSF) or the Coronavirus Response Investment Initiative (CRII), please confirm that the rules applicable under those Funds will be respected;

Confirmed. However, it is very unlikely that these funds would participate in the financing.

- Please provide the language waiver in Annex I.

Due to the urgent need to adopt and notify a Decision in relation to the present notification relating to the Liquidity Support to Municipal Electricity Companies, the Finnish government agrees exceptionally to waive its rights deriving from Article 342 TFEU in conjunction with Article 3 of Regulation 1/1958 and to have the planned Decision adopted and notified pursuant to Article 297 of the Treaty in the English language.

⁸ Referring to information required in Annex III to Commission Regulation (EU) No 651/2014 of 17 June 2014 and Annex III to Commission Regulation (EU) No 702/2014 and Annex III to Commission Regulation (EU) No 1388/2014 of 16 December 2014. For repayable advances, guarantees, loans, subordinated debt and other forms of aid, the nominal value of the underlying instrument must be inserted per beneficiary. For tax and payment advantages, the aid amount of the individual aid may be indicated in ranges.

⁹ Commission Regulation (EC) No 794/2004 of 21 April 2004 implementing Council Regulation (EC) No 659/1999 laying down detailed rules for the application of Article 93 of the EC Treaty (OJ L 140, 30.4.2004, p. 1).

SECTION II: ADDITIONAL INFORMATION

POINT 1: FOR AID TO BE GRANTED UNDER SECTION 2.1 OF THE TCF: LIMITED AMOUNTS OF AID

1. Confirm that the overall maximum aid amount(s) per undertaking¹⁰ (gross, i.e. before any deduction of tax or other charge) are respected;
2. Describe the form of aid (e.g. direct grant, tax advantages, repayable advances, guarantees, loans, equity);
3. Confirm that the aid is granted by 31 December 2022 at the latest; For aid in form of tax advantages, confirm that the tax liability in relation to which that advantage is granted must have arisen no later than 31 December 2022;
4. Confirm that the aid is granted to undertakings affected by the crisis (*i.e.* the Russian military aggression against Ukraine, the sanctions imposed by the Union or by its international partners, as well as the economic counter measures taken, for example by Russia), describing how it is ensured that only such undertakings can be granted aid;
5. Confirm that for aid granted in other forms than direct grants, tax and payment advantages, the total nominal value of such forms remains below the overall maximum cap per undertaking;
6. Confirm that if the beneficiary receives aid on several occasions or in several forms under the notified aid scheme under section 2.1 or under another existing scheme approved by the Commission under section 2.1, the overall maximum cap per undertaking as set out in points 41(a) and 42(a) of the TCF is respected¹¹

¹⁰ See points 41(a) and 42(a) of the TCF.

¹¹ Aid granted under the measure or aid under other measures approved by the Commission under section of the TCF which has been reimbursed before new aid is granted will not be taken into account in determining whether the relevant ceiling is exceeded

7. Confirm that where the beneficiaries are undertakings active in the processing and marketing of agricultural products, the aid is conditional on not being partly or entirely passed on to primary producers and is not fixed on the basis of the price or quantity of products put on the market by the undertakings concerned or purchased from primary producers, unless, in the latter case, the products were either not put on the market or were used for non-food purposes such as distillation, methanization or composting by the undertakings concerned;
8. If the aid is channelled through credit institutions or other financial institutions, describe how it is ensured that the advantage is passed on to the final beneficiaries by the financial intermediaries (*e.g.* in the form of higher volumes of financing, riskier portfolios, lower collateral requirements, lower guarantee premiums or lower interest rates than without the envisaged public guarantees);
9. If the aid is granted in the form of guarantees, confirm that the mobilisation of the guarantees is contractually linked to specific conditions, which have to be agreed between the parties when the guarantee is initially granted;
10. If the measure provides for the conversion of aid from one form into another, describe the respective forms of aid, the sections of the TCF under which the measures to be converted have been authorised, the conditions and the timing of such conversion, and confirm that the conditions of section 2.1 are complied with;
11. For agricultural, fisheries and aquaculture sector, confirm that:
 - aid to undertakings active in the primary production of agricultural products¹² is not fixed on the basis of the price or quantity of products put on the market;
 - aid to undertakings active in the fishery and aquaculture sector¹³ does not concern any of the categories of aid referred to in points (a) to (k) of Article 1(1) of Commission Regulation (EU) No 717/2014¹⁴;

¹² As defined in Article 2(5) of Commission Regulation (EC) No 702/2014 of 25 June 2014 declaring certain categories of aid in the agricultural and forestry sectors and in rural areas compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union (OJL 193, 1.7.2014, p. 1).

¹³ Commission Regulation (EC) No 717/2014 of 27 June 2014 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid in the fishery and aquaculture sector (OJL 90, 28.6.2014, p. 45).

¹⁴ Commission Regulation (EU) No 717/2014 of 27 June 2014 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid in the fishery and aquaculture sector (OJL 90, 28.6.2014, p. 45).

- where an undertaking is active in several sectors to which different maximum amounts apply in accordance with points 41(a) and 42(a) of the TCF, it will be ensured, by appropriate means such as separation of accounts, that for each of those activities the relevant ceiling is respected and that the overall maximum amount of EUR 400 000 is not exceeded per undertaking. Where an undertaking is active in the sectors covered by point 42(a) of the TCF, the overall maximum amount of EUR 35 000 is not exceeded per undertaking.

SECTION II: ADDITIONAL INFORMATION

POINT 2: FOR AID TO BE GRANTED UNDER SECTION 2.2 OF THE TCF: LIQUIDITY SUPPORT IN THE FORM OF GUARANTEES

1. Confirm that guarantees are granted in line with all conditions under section 2.2 of the TCF;
2. Confirm that guarantees may be provided on new individual loans made to undertakings;
3. Please describe the following:
 - Types of eligible instruments (e.g. investment and/or working capital loans),
 - Maturities of the eligible instruments,
 - Maximum amount of the loan principal as defined in point 47(e)¹⁵ (including appropriate justification in case of point 47(e)(iii) of the TCF; relevant justification could relate to beneficiaries active in sectors that are particularly affected by direct or indirect effects of the aggression, including sanctions imposed by the Union, its international partners, as well as counter measures taken, for example by Russia; those effects may include disruptions of supply chains or outstanding payments from Russia or Ukraine, increased risks of cyber-attacks or rising prices for specific inputs or raw materials affected by the current crisis),
 - Confirm that, when the overall amount of the loan is calculated on the basis of liquidity needs of the beneficiary (point 47(e)(iii) of the TCF), the same beneficiary cannot cover with guarantees under the notified aid measure the liquidity needs already covered by aid measures approved by the Commission under the COVID-19 Temporary Framework;
 - Maximum amount of the guarantee (as % of loan principal),

¹⁵ To facilitate the implementation of the requirement under point 47(c) of the TCF, Member States may use the summary of case practice under point 25(b) of the COVID-19 Temporary Framework published by the Commission and available at: https://ec.europa.eu/competition-policy/system/files/2021-03/summary_of_case_practice_on_modulation_under_point_25%28b%29_of_TF.pdf

- Duration of the guarantee,
 - Describe the level of guarantee premiums and the calculation method (where guarantee duration, guarantee premiums and guarantee coverage are modulated for each underlying individual loan principal, provide the necessary justifications and modulation in line with point 47(c) of the TCF),
 - Indicate if the guarantee covers the full maturity of the underlying instrument.
4. Confirm that guarantees are granted by 31 December 2022 at the latest;
 5. Confirm that the mobilisation of the guarantees is contractually linked to specific conditions which have to be agreed between the parties when the guarantee is initially granted;
 6. If the aid is channelled through credit institutions or other financial institutions, describe how it is ensured that the advantage is passed on to the final beneficiaries by the financial intermediaries (*e.g.* in the form of higher volumes of financing, riskier portfolios, lower collateral requirements, lower guarantee premiums or lower interest rates than without such public guarantees);
 7. Confirm that for the same underlying loan principal aid granted under section 2.2 of the TCF will not be cumulated with aid granted under section 2.3 of the TCF and vice versa or with aid granted under sections 3.2 or 3.3 of the COVID-19 Temporary Framework¹⁶;
 8. Confirm that aid granted under section 2.2 and section 2.3 of TCF for different loans will not be cumulated, if the overall amount of loans per beneficiary exceeds the ceilings set out in points 47(e) and 50(e) of the TCF;

¹⁶ Communication from the Commission - Temporary framework for State aid measures to support the economy in the current COVID-19 outbreak (OJ C 91I, 20.3.2020, p. 1), as amended by Commission Communications C(2020) 2215 (OJ C 112I, 4.4.2020, p. 1), C(2020) 3156 (OJ C 164, 13.5.2020, p. 3), C(2020) 4509 (OJ C 218, 2.7.2020, p. 3), C(2020) 7127 (OJ C 340 I, 13.10.2020, p. 1), C(2021) 564 (OJ C 34, 1.2.2021, p. 6), and C(2021) 8442 (OJ C 473, 24.11.2021, p. 1).

9. Confirm that in as far as the same beneficiary may benefit in parallel from multiple measures approved by the Commission under sections 2.2 of the TCF, it is ensured that for such measures the maximum ceilings on loans as specified in points 47(e) of the TCF are respected per beneficiary;

10. Describe any other additional conditions imposed in the measure.

SECTION II: ADDITIONAL INFORMATION

POINT 3: FOR AID TO BE GRANTED UNDER SECTION 2.3 OF THE TCF: LIQUIDITY SUPPORT IN THE FORM OF SUBSIDISED LOANS

1. Describe and confirm that all conditions under section 2.3 of the TCF and in particular the conditions under point 50 of the TCF are respected:

- Types of eligible instruments (e.g. investment and/or working capital loans),

Working capital loan.

- Maturities of eligible instruments,

3 years.

- Maximum amount of loan principal as defined in point 50(e) of the TCF¹⁷ (including appropriate justification in case of point 50(e)(iii); relevant justification could relate to beneficiaries active in sectors that are particularly affected by direct or indirect effects of the aggression, including sanctions imposed by the Union, its international partners, as well as counter measures taken, for example by Russia; those effects may include disruptions of supply chains or outstanding payments from Russia or Ukraine, increased risks of cyber-attacks or rising prices for specific inputs or raw-materials affected by the current crisis),

The Maximum amount of the loan principle is either:

- a) 15 % of the beneficiary's average total annual turnover over the last three closed accounting periods; or
- b) the liquidity needs derived from the need to provide financial collaterals for trading activities for the coming 12 months

As a justification for the option b), reference is made to the explanation of exceptional circumstances in the electricity derivatives exchange as explained in section Background of the Notification letter (Annex 1).

- Confirm that, when the overall amount of the loan is calculated on the basis of liquidity needs of the beneficiary (point 50(e)(iii) of the TCF), it is ensured that the same beneficiary cannot cover with loans under the notified aid measure the liquidity needs already covered by aid measures approved by the Commission under the COVID-19 Temporary Framework;

Confirmed.

- Level of interest rates (base rate and credit risk margin) and calculation method (where the loan maturity and the level of credit risk margins are modulated, provide the necessary justifications and modulation in line with point 50(c) of the TCF),

The loans will be granted to the beneficiaries at reduced interest rates, which are at least equal to the base rate (one-year IBOR or equivalent as published by the European Commission) available on 1 February 2022 plus the credit risk margins as set-out in the table below:

Type of recipient	Margin for 1 st year	Margin for a 2 nd - 3 rd year
SMEs	25 bps	50 bps
Large enterprises	50 bps	100 bps

In any case, the minimum all-in interest rate (base rate plus the credit risk margins) is not less than 10 bps per year.

In case that the loan is granted by MuniFin directly to an electricity company, the municipality or municipalities which own the company may grant an up to 100% guarantee on the loan.

¹⁷ To facilitate the implementation of the requirement under point 50(e) of the TCF, Member States may use the example in the summary of case practice under point 25(b) of the COVID-19 Temporary Framework published by the Commission and available at: https://ec.europa.eu/competition-policy/system/files/2021-03/summary_of_case_practice_on_modulation_under_point_25%28b%29_of_TF.pdf.

- If the aid is channelled through credit institutions or other financial institutions, describe how it is ensured that the advantage is passed on to the final beneficiaries by the financial intermediaries without conditioning the granting of subsidised loans under this section to refinancing existing loans;

N/A. The loan is granted directly to the aid beneficiary by the municipality or MuniFin.

2. Confirm that the loan contracts are signed by 31 December 2022 at the latest;

Confirmed.

3. Confirm that for the same underlying loan principal, aid granted under section 2.3 of the TCF will not be cumulated with aid granted under section 2.2 of the TCF, and vice versa;

Confirmed.

4. Confirm that aid granted under section 2.2 and section 2.3 of the TCF for different loans will not be cumulated, if the overall amount of loans per beneficiary exceeds the ceilings set out in points 47(e) and 50(e) of the TCF;

Confirmed.

5. Confirm that in as far as the same beneficiary may benefit in parallel from multiple measures approved by the Commission under sections 2.3 of the TCF, it is ensured that for such measures the maximum thresholds on loans as specified in point 50(e) are respected per beneficiary;

Confirmed.

SECTION II: ADDITIONAL INFORMATION

POINT 4: FOR AID TO BE GRANTED UNDER SECTION 2.4 OF THE TCF: AID FOR ADDITIONAL COSTS DUE TO EXCEPTIONALLY SEVERE INCREASES IN NATURAL GAS AND ELECTRICITY PRICES

1. Describe and confirm that the conditions under point 52 of the TCF are respected and describe how you verify that those requirements are met:
 - Confirm that aid is granted no later than 31 December 2022;
 - Types of eligible instruments (*i.e.* direct grants, tax and payment advantages or other forms such as repayable advances, guarantees, loans, and/or equity); For aid in form of tax advantages, confirm that the tax liability in relation to which that advantage is granted must have arisen no later than 31 December 2022;
 - Provide the maturities of eligible instruments, where applicable;
 - Confirm that the aid is granted on the basis of a scheme with an estimated budget;
 - Confirm whether the scheme is limited to certain activities that support specific economic sectors of particular importance to the economy or to the security and resilience of the internal market. If there is such a limitation, describe those activities and how such a limitation is designed broadly so as not to lead to an artificial limitation of potential beneficiaries;
 - Describe how eligible costs are calculated and verified, provide start and end dates of the eligible period, describe the methodology to calculate the unit costs incurred over the reference period and over the eligible period, describe the evidence that the eligible undertaking is requested to provide; confirm that the requirements under point 52(e) of the TCF are respected;
 - Confirm that the overall aid per undertaking does not exceed 30% of the eligible costs up to a maximum of EUR 2 million at any given point in time; Confirm that all figures used are gross, *i.e.* before any deduction of tax or other charge;

- Confirm that for aid granted in other forms than direct grants, tax and payment advantages, the total nominal value of such forms remains below the applicable aid intensity and the overall maximum cap of EUR 2 million per undertaking;
- If the aid is channelled through credit institutions or other financial institutions, describe how it is ensured that the advantage is passed on to the final beneficiaries by the financial intermediaries (*e.g.* in the form of higher volumes of financing, riskier portfolios, lower collateral requirements, lower guarantee premiums or lower interest rates than without the envisaged public guarantees);
- If the measure provides for the conversion of aid from one form into another, describe the respective forms of aid, the conditions and the timing of such conversion, and confirm that the compatibility criteria of section 2.4 are complied with;
- Confirm whether advance payments are granted under the scheme before eligible costs have been incurred. If so, describe how eligible costs are estimated, and confirm that (i) the aid ceilings in point 52(f) are respected and (ii) an ex-post verification on the basis of actual costs incurred will take place and aid payments exceeding the ceilings are clawed back no later than six months after the eligible period has ended;
- Confirm that if aid under point 52 is cumulated with aid under section 2.1 of the TCF, the total amount of EUR 2 million is not exceeded.

2. Describe and confirm that the conditions under point 53 of the TCF are respected and describe how you verify that those requirements are met:

- Confirm that only undertakings which are an ‘energy-intensive business’ within the meaning of the first limb of Article 17(1)(a) of the Energy Taxation Directive are eligible, *i.e.* where the purchases of energy products (including energy products other than natural gas and electricity) amount to at least 3.0 % of the production value;
- Confirm that aid under point 53 of the TCF is granted only to undertakings incurring operating losses, and that eligible costs as defined in point 52(e) of the TCF amount to at least 50 % of the operating losses in the eligible period;

- Describe how eligible costs are calculated and verified, describe the methodology to calculate the reference period, describe the evidence that the eligible undertaking is requested to provide; confirm that the requirements under point 52(e) of the TCF are respected;

 - Confirm that the overall aid to an undertaking neither exceeds 50 % of the eligible costs nor 80 % of the operating losses of the undertaking and that the overall aid per undertaking does not exceed EUR 25 million, unless undertakings are active in (sub-)sectors listed in Annex I to the TCF;

 - Describe and confirm if the scheme provides for higher aid thresholds for undertakings active in a sector or subsector listed in Annex I to the TCF, and if this includes some or all of those (sub-)sectors.
 - If so, confirm that the overall aid amount for undertakings in those (sub-)sectors neither exceeds 70 % of the eligible costs nor 80 % of the operating losses of the undertaking and that the overall aid per undertaking does not exceed EUR 50 million, whereby activities not listed in that Annex cannot receive more than EUR 25 million.

 - Describe how it is ensured that the relevant ceiling is respected for each of those activities and confirm how it is ensured that the overall amount of EUR 50 million will not be exceeded per undertaking.

 - If only certain but not all (sub-)sectors from the Annex are included, describe how they have been selected and how such a limitation is designed broadly so as not to lead to an artificial limitation of potential beneficiaries;

 - Confirm that if aid under point 53 is cumulated with aid under section 2.1 of the TCF, the ceilings specified under points 53(d) and 53(e), whichever applies, are not exceeded.
3. Describe any other additional conditions imposed in the measure (for instance any requirements which be may introduced related to environmental protection or security of supply for granting aid under this section pursuant to point 24 of the TCF).

ANNEX I - LANGUAGE WAIVER

In order to speed up the processing of the notification, the below language waiver should be provided with the notification, on letterhead of the relevant authorities, dated and signed. Please clearly identify the measure(s) for which the language waiver is provided.

Due to the urgent need to adopt and notify a Decision in relation to the present notification relating to [brief description of the scheme subject to the notification], the [national: specify] government agrees exceptionally to waive its rights deriving from Art. 342 TFEU in conjunction with Article 3 of Regulation 1/1958 and to have the planned Decision adopted and notified pursuant to Article 297 of the Treaty in the English language.