



## **CORRIGENDUM 1 – Call for Proposals HURO/1101 – ENGLISH VERSION**

**18 November, 2011**

### **Corrigendum regarding the 5th Call for Proposals HURO/1101 document:**

1. Page 7 Chapter 8. Compliance with the European Union and National Legislation

Since temporary aid shall not be granted, the last sentence has been deleted and the following text shall be respected:

„All projects submitted and financed through this Call will have to comply with all relevant national and community legislation. For a full list of the legal norms governing the programme please consult Chapter V, List of relevant legislation of Applicant's Handbook.

According to the General Regulation (EC) 1083/2006<sup>1</sup>, in order to be eligible in the frame of the cross border programmes, projects shall consider and respect the *de minimis* and State Aid rules, as well as those regulating the revenue generation. A short presentation of these rules is available below. For more information please consult the Applicant's Handbook.”

### **Corrigendum regarding the Applicant's Handbook HURO/1101 document:**

2. Page 32 V. Relevant European and national legislation a) Indicative legislation on European level

Commission decision 2005/842/EC on the application of Article 86(2) of the EC Treaty to state aid in the form of public service compensation granted to certain undertakings entrusted with the operation of services of general economic interest has been deleted from the list.

3. Page 33 V. Relevant European and national legislation b) Indicative Hungarian legislation

Government Decree 37/2011 (III.22.) on the Procedure regarding State Aid defined by Article 107 (1) of the Treaty on the Functioning of the European Union and on the Regional Aid Map has been amended.

4. Page 40-47 VII. List of Annexes ANNEX NO. 1. TABLES OF INDICATIVE ELIGIBLE ACTIVITIES BROKEN DOWN BY ACTIONS

The table has been revised as follows:

### **PLEASE NOTE!**

In each case when there is an “X” in the state aid or *de minimis* column it means that certain activities might fall under state aid if all the conditions that lead to it are met. It does not mean that all projects submitted under that particular action will fall under state aid rules.

**In all cases please, also consult the relevant chapter of the present Handbook and ANNEX D - Guidelines on state aid, as well as the relevant Community and national legislation listed in the Handbook.**

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<sup>1</sup> On laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1260/1999. (OJ L 210/25 11. 07. 2006)



<b>PRIORITY AXES</b>	<b>1. Improvement of the key conditions of joint sustainable development in the co-operation area</b>		
<b>KEY AREA OF INTERVENTION</b>	<b>1.1. Improvement of cross-border transport facilities</b>		
<b>ACTION</b>	<b>1.1.1. Road development</b>		
<b>FRAMEWORK ACTIVITY</b>	<b>STATE AID PROVISIONS</b>		<b>NOT FALLING UNDER STATE AID</b>
	REGIONAL AID	DE MINIMIS	
Construction, rehabilitation and widening of the surface and substructure of roads across the border (leading to it and crossing it), that connects settlements			X
Construction, rehabilitation and widening the surface and substructure of roads connecting small villages with the main road/highway, which lead to the border			X
Construction, rehabilitation of bicycle paths leading to and crossing the border			X
Construction, rehabilitation of bicycle routes connecting settlements along roads that lead to the border			X
<b>SPECIAL PROVISIONS</b>	In all cases environmental friendly solutions have to be sought and will have an advantage.		

<b>PRIORITY AXES</b>	<b>1. Improvement of the key conditions of joint sustainable development in the co-operation area</b>		
<b>KEY AREA OF INTERVENTION</b>	<b>1.2. Improvement of cross-border communication</b>		
<b>ACTION</b>	<b>1.2.1 Development of the cross-border broadband internet infrastructure</b>		
<b>FRAMEWORK ACTIVITY</b>	<b>STATE AID PROVISIONS</b>		<b>NOT FALLING UNDER STATE AID</b>
	REGIONAL AID	DE MINIMIS	
Establishment and development of distribution point and networks that connect settlements to country main networks	X	X	X
Ensure connection between distribution points and networks within the territory of two or more neighbouring settlements across the border	X	X	X
Development of special IT networks and secure IT communication systems between cross border public institutions that cooperate (police, water management, firemen) as well as other special intervention units (maybe also local governments and public transportation institutions)		X	X
<b>SPECIAL PROVISIONS</b>	Regarding the first two activities, they do not fall under state aid rules only in the case when they concern public institutions, i.e. public institutions apply and are the beneficiaries of available funds.		



<b>PRIORITY AXES</b>	<b>1. Improvement of the key conditions of joint sustainable development in the co-operation area</b>		
<b>KEY AREA OF INTERVENTION</b>	<b>1.3. Protection of the environment</b>		
<b>ACTION</b>	<b>1.3.1 Protection of nature and natural values – infrastructure</b>		
<b>FRAMEWORK ACTIVITY</b>	<b>STATE AID PROVISIONS</b>		<b>NOT FALLING UNDER STATE AID</b>
	REGIONAL AID	DE MINIMIS	
Improvement/setting up of infrastructure for nature protection and sustainable use of natural resources in protected areas (places to receive visitors, resting places, waste management systems, etc.)			X
Establishment of information centres/houses, open – air schools related to the protection of nature and natural values			X
Recovery or development of natural habitats, establishment, improvement of protection functions of the land and natural values			X
Rehabilitation, prevention of protected historical gardens, natural collections			X
<b>SPECIAL PROVISIONS</b>	----		

<b>PRIORITY AXES</b>	<b>1. Improvement of the key conditions of joint sustainable development in the co-operation area</b>		
<b>KEY AREA OF INTERVENTION</b>	<b>1.3 Protection of the environment</b>		
<b>ACTION</b>	<b>1.3.2. Water management</b>		
<b>FRAMEWORK ACTIVITY</b>	<b>STATE AID PROVISIONS</b>		<b>NOT FALLING UNDER STATE AID</b>
	REGIONAL AID	DE MINIMIS	
Rehabilitation of the river basin in order to ensure the “good quality” of surface waters; rehabilitation of floodplains in accordance with the national legislation and EU water framework directive			X
Works in order to improve the quality of water flows in the border area			X
Rehabilitation of cross-border polluted areas that threaten rivers or groundwater; prevention of further contamination in accordance with the rules in effect			X
Establishment or improvement of rainwater pipeline systems within the territories of settlements, in areas where the excess rainwater threatens land or settlements on the other side of the border; restoration of wetland fields in a sustainable way			X



Co-operation between existing institutions and relevant stakeholders in order to harmonize activities in the filed of flood prevention and contamination issues in a sustainable way, as well as to install joint pollution and water level monitoring systems			X
<b>SPECIAL PROVISIONS</b>	----		

<b>PRIORITY AXES</b>	<b>1. Improvement of the key conditions of joint sustainable development in the co-operation area</b>		
<b>KEY AREA OF INTERVENTION</b>	<b>1.3 Protection of the environment</b>		
<b>ACTION</b>	<b>1.3.3. Reducing pollution – waste management</b>		
<b>FRAMEWORK ACTIVITY</b>	<b>STATE AID PROVISIONS</b>		<b>NOT FALLING UNDER STATE AID</b>
	REGIONAL AID or SERVICE OF GENERAL ECONOMIC INTEREST	DE MINIMIS	
Establishment of cross-border plants for processing/burning waste (able to be commonly used)	X Activity is falling under the Altmark Trans case or might be a service in general economic interest, but this does not mean a lower intensity rate.  In case it is regional aid the intensity rate might be lower.	X	X
Complete and modernize regional waste management technologies with new elements; selective waste collection	X Activity is falling under the Altmark Trans case or might be a service in general economic interest, but this does not mean a lower intensity rate.  In case it is regional aid the intensity rate might be lower.	X	X
Elimination of illegal dumps, rehabilitation of sites, creation of waste collection systems, allowing also selective collection	X Activity is falling under the Altmark Trans case or might be a service in general economic interest, but this does not mean a lower intensity rate.  In case it is regional aid the intensity rate might be lower.	X	X
Construction, reconstruction, expansion of sewage systems only in case of justified cross-border impact; application of special, environmental friendly sewage treatment systems	X Activity is falling under the Altmark Trans case or might be a service in general economic interest, but this does not mean a lower intensity rate.  In case it is regional aid the intensity rate might be lower.	X	X
Exchange of good practices between local authorities – only when connected			X



to one of the activities above			
<b>SPECIAL PROVISIONS</b>	The above mentioned activities in certain cases might not fall under state aid rules, like for example development of waste plant or construction of sewage systems.		

<b>PRIORITY AXES</b>	<b>2. Strengthen social and economic cohesion of the border area</b>		
<b>KEY AREA OF INTERVENTION</b>	<b>2.1. Support for cross-border business cooperation</b>		
<b>ACTION</b>	<b>2.1.1. Development of business infrastructure</b>		
<b>FRAMEWORK ACTIVITY</b>	<b>STATE AID PROVISIONS</b>		<b>NOT FALLING UNDER STATE AID</b>
	REGIONAL AID	DE MINIMIS	
Construction of new business infrastructure facilities, extension of existing ones with new facilities and services directly serving the development of cross-border business and trade	X	X	X
Reconstruction or enlargement of (multifunctional) buildings that can be used for conferences, fairs and trades, business events. (Property development for investment and purchase of necessary equipment is also eligible)	X	X	X
Elaboration of feasibility studies, engineering design documents, architectural plans, environmental impact assessments	X	X	X
<b>SPECIAL PROVISIONS</b>	<p>The first two activities might fall under the state aid rules, depending on the case.</p> <p>In case the investment concerns the establishment of a new business infrastructure or the extension, reconstruction or enlargement of existing facilities that will lead to the offering of new services the activity might be regional aid, thus the intensity rate might be lowered to 50%.</p> <p>Regarding the third activity in case the costs can be activated on the investment then it will fall under regional aid rules. In all other cases de minimis rules might be applicable, or the activity could be considered as not falling under the state aid rules.</p>		



<b>PRIORITY AXES</b>	<b>2. Strengthen social and economic cohesion of the border area</b>		
<b>KEY AREA OF INTERVENTION</b>	<b>2.1. Support for cross-border business cooperation</b>		
<b>ACTION</b>	<b>2.1.3. Development of tourism</b>		
<b>FRAMEWORK ACTIVITY</b>	<b>STATE AID PROVISIONS</b>		<b>NOT FALLING UNDER STATE AID</b>
	<b>REGIONAL AID</b>	<b>DE MINIMIS</b>	
Planning, realizing (delineating) and marking forest pathways, horse-riding paths, hiking and bicycle routes, etc. (for active tourism); developing resting places, etc.			X
Establishment of visitor-friendly, interactive exhibition centers/houses	X	X Only for marketing activities	X
Development of thematic tourist packages, preparation of joint marketing tools and information systems		X	X
Purchase of equipment, environmental friendly vehicles serving tourism purposes (bicycles, canoes, water bicycles, etc.) in cases when tourist places, tourist services are already developed		X	X
Preparation of joint marketing tools and information systems in connection with the first three activities		X Only for marketing activities	X
Supporting the rehabilitation/reconstruction of historical monuments, buildings, sights that have an effect on tourism and cultural development and around which tourist packages of cross-border importance can be built, like for example: religious, historic routes, or concentrating around cultural heritage (literature, artistic heritage, etc.)		X	X
<b>SPECIAL PROVISIONS</b>	<p>In case of framework activity 3 and 4, 6 only the activity concerning marketing will fall under state aid rules. Regarding the support given to these activities the de minimis rule shall apply.</p> <p>In case of activity 4 the general rule that project aiming only to the purchase of equipment shall not be supportable shall apply. Thus the purchase of equipment should be complemented with other activities from one or more of the framework activities proposed. Please note that projects without infrastructural investment are not eligible in Call for proposal 1101, framework activities 1,3,4,5 cannot be implemented without infrastructural investment activities (framework activities 2,6).</p>		



<b>PRIORITY AXES</b>	<b>2. Strengthen social and economic cohesion of the border area</b>		
<b>KEY AREA OF INTERVENTION</b>	<b>2.2. Promotion of cooperation in the field of R&amp;D and innovation</b>		
<b>ACTION</b>	<b>2.2.1. Joint research infrastructure development</b>		
<b>FRAMEWORK ACTIVITY</b>	<b>STATE AID PROVISIONS</b>		<b>NOT FALLING UNDER STATE AID</b>
	R+D AID	DE MINIMIS	
Joint and complementary development of R&D and innovation infrastructure related to a cooperation project: development of existing R&D and innovation infrastructure serving CBC, harmonization of the purchasing of specific equipments, establishment of new R&D centres and infrastructure facilities, creation of research and technical development centers for joint research in areas relevant for CBC cooperation and matters of common interest	X	X	X
<b>SPECIAL PROVISIONS</b>	<p>In case the facility will serve fundamental research the grant rate intensity will remain the same as stipulated in the call.</p> <p>In case industrial research or experimental development will be conducted in the facility the intensity will be 50%, respectively 25%.</p>		

<b>PRIORITY AXES</b>	<b>2. Strengthen social and economic cohesion of the border area</b>		
<b>KEY AREA OF INTERVENTION</b>	<b>2.4. Healthcare and prevention of common threats</b>		
<b>ACTION</b>	<b>2.4.1. Development of infrastructure for common health and risk prevention</b>		
<b>FRAMEWORK ACTIVITY</b>	<b>STATE AID PROVISIONS</b>		<b>NOT FALLING UNDER STATE AID</b>
	REGIONAL AID	DE MINIMIS	
Construction, reconstruction in health care: risk prevention			X
Cooperation between health-care service providers: joint purchase of medical equipment and joint use of them, establishment of on-line diagnostic systems and patient coordination systems, purchase of the necessary IT tools			X
Activities fostering the mobility of patients and health professionals			X
Creation of joint mechanisms for intervening in urgent, unexpected situations, that require rapid response and interventions (eg. transport accidents, fire, natural and industrial disasters, criminal cases); development of CB emergency plans, development of communication links, joint monitoring and preventive interventions – Should include other			X



relevant stakeholders like fire department, rapid response teams in case of disasters, etc.			
Organisation of cross border simulation trainings, conferences, workshops in the field of risk prevention			X
Purchase of equipments necessary for common interventions (eg. ambulance cars, resuscitating instruments, etc.)			X
Increasing awareness, fostering knowledge exchange and contributing to the preparation of guidance materials			X
Identify the causes of health inequalities within the programme area and develop strategies in order to bridge the gap			X
<b>SPECIAL PROVISIONS</b>	The purchase of equipments, as well as soft actions, like organizing conferences, workshops, increasing awareness, etc - cannot be the bases of one project, it has to be combined with other activities that match the frameworks listed. Thus, investment types of activities have to be combined with soft ones in order to be eligible.		

**Corrigendum regarding the Annex D Guidelines on State Aid document:**

1. Page 1-5 Annex D Guidelines on State Aid the entire document

In the entire document reference to EC Treaty has been amended to reference on Treaty on the Functioning of the European Union (hereinafter referred to as Treaty) and the respective article.

2. Page 5 Annex D Guidelines on State Aid document

Since temporary aid shall not be granted, the reference has been deleted.

3. Page 5 Annex D Guidelines on State Aid document

Reference to Services of General Economic Interest point b) has been deleted.

**Corrigendum regarding the Annex 6 – Cost-Benefit Analysis calculation table:**

The table represents the cash-flow of the planned project in EUR, therefore the currency has been modified in the table of '2. Operating costs'.