

Federal Ministry of Education and Research
Announcement
Regulations governing the funding of international
collaborative projects under the National Research Strategy
BioEconomy 2030
"Bioeconomy International 2019"

1 Aim and purpose of funding, legal basis

1.1 Aim and purpose of funding

The Federal Ministry of Education and Research (BMBF) intends to support the implementation of the National Research Strategy BioEconomy 2030 (NFSB 2030) in an international context by funding collaborative R&D projects which involve foreign partners.

The Federal Government formulated its vision of a sustainable bio-based economy in the NFSB 2030 and the National Policy Strategy on Bioeconomy. Securing global nutrition, producing healthy and safe food, ensuring sustainable agriculture and using renewables for industrial and energy purposes require intensive research efforts to gain biological knowledge, develop advanced bio-based processes and optimize the use of biological resources.

Using various biotechnological processes is becoming more and more important in industry. Companies are increasingly introducing sustainable processes and products in order to remain competitive. Implementing the bioeconomy should, however, not interfere with efforts to secure global nutrition. Already today, competition is increasing in many countries for the use of natural resources (land and water) and agricultural products for different purposes (nutrition, industrial material, biofuel production). In addition, there is an increasing global demand for food and feed, timber and various types of agricultural products which directly or indirectly affects global land use, the climate, biodiversity and major ecosystem services.

Realizing the bioeconomy as a sustainable bio-based economy requires more than national and European initiatives. International cooperation is needed to achieve the objectives set out in the NFSB 2030. This is the purpose of the "Bioeconomy International" funding activity. Funding will be provided for research and development projects that are carried out in close cooperation with relevant foreign partners on core issues of the bioeconomy in order to strengthen international collaborations and establish partnerships. Socioeconomic aspects and holistic approaches are important criteria in addition to technological issues and development goals.

1.2 Legal basis

The Federal Government will award grants in accordance with these funding regulations, sections 23 and 44 of the Federal Budget Code (BHO) and the administrative regulations adopted thereunder as well as the regulations governing applications for expenditure-based grants (AZA) and/or cost-based grants (AZK) of the Federal Ministry of Education and Research (BMBF). There is no legal entitlement to a grant. The granting authority will decide freely after due assessment of the circumstances within the framework of the budget funds available.

Under these funding regulations, funding that constitutes state aid in accordance with Article 107(1) of the Treaty on the Functioning of the European Union (TFEU – OJ C 326 of 26 October 2012, p. 1) will be granted on the basis of Articles 25 and 28 of the 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 on the Functioning of the European Union (General Block Exemption Regulation – GBER) (OJ L 187 of 26 June 2014, p. 1) in the version of the Regulation (EU) 2017/1084 of 14 June 2017 (OJ L 156 of 20 June 2017, p. 1). Funding is provided in accordance with the Common Provisions set out in Chapter I GBER, in particular taking account of the definitions given in Article 2 of the Regulation (please refer to the Annex with regard to the requirements of state aid legislation applying to these funding regulations).

These funding regulations apply in conjunction with the National Research Strategy BioEconomy 2030 (<https://www.bmbf.de/de/biooekonomie-neue-konzepte-zur-nutzung-natuerlicher-ressourcen-726.html>) and the documents linked there.

2 Object of funding

Project funding provided in accordance with these funding regulations is aid for research, development and innovation within the meaning of Article 1(1)(d) of the EU General Block Exemption Regulation.

Funding will be provided for research, development and innovation projects (R&D&I projects) which have been selected in a competitive procedure.

The selected projects will support the national bioeconomy activities funded by the BMBF and contribute to the achievement of the funding objectives. The collaborative projects will make a major contribution to at least one of the fields of action listed in the National Research Strategy BioEconomy 2030:

1. Securing global nutrition
2. Ensuring sustainable agricultural production

3. Producing healthy and safe food
4. Using renewable resources for industry
5. Developing biomass-based energy

Furthermore, the collaborative projects will contribute to the achievement of the objectives of the Federal Government's Strategy for the Internationalization of Science and Research:

1. Strengthening research cooperation with the world's best
2. Tapping international innovation potential
3. Assuming international responsibility and meeting global challenges.

International cooperation within the collaborative projects and the added value it generates in the implementation of the NFSB 2030 as well as the contribution to the objectives of the Federal Government's Internationalization Strategy are the main focus of the "Bioeconomy International" funding activity. The funding activity also provides an opportunity for realizing project ideas which were developed in measures to prepare collaborations.

For further information on the NFSB 2030 and the Internationalization Strategy of the Federal Government please visit <https://www.bmbf.de/de/biooekonomie-neue-konzepte-zur-nutzung-natuerlicher-ressourcen-726.html> and <http://www.bmbf.de/pubRD/Internationalisierungsstrategie-English.pdf>.

Funding is provided for partners in international consortia who have a plant or branch in Germany at the time of payment of the grant (see also section 3 Funding recipients). Cooperation projects with partners from Argentina, Brazil, Canada, Chile, China, India, Malaysia, Russia and Viet Nam are particularly desirable.

The "Bioeconomy International 2019" funding activity is composed of two modules:

Module 1: Bioeconomy International - Basis

Module 1 provides funding for cooperation with partners from non-EU countries. Under this module, project proposals can be submitted for any of the five above-listed fields of action of the NFSB 2030. Each foreign partner must confirm its financial commitment in a binding, signed letter. These financial commitments must be uploaded on the web portal www.bioeconomy-international.de as separate documents in addition to the project outline.

Module 2: Bioeconomy Germany-Viet Nam

Module 2 provides funding for cooperation with partners from Viet Nam.

The Ministry of Science and Technology (MoST) in Viet Nam will publish a parallel call for Vietnamese partners to support bioeconomy cooperation with Germany. The Vietnamese applicants must submit an identical copy of their outline proposal in

Viet Nam. The selection procedure in Module 2 will be agreed between the BMBF and the MoST.

As under Module 1, project proposals under this module can be submitted for any of the five fields of action of the National Research Strategy BioEconomy (see above).

The cooperation partners should contact the MoST for details about the formal requirements that are to be met on the Vietnamese side.

3 Funding recipients

Applications may be submitted by universities, non-university research institutions, federal and *Länder* institutions with R&D responsibilities as well as commercial companies. Applicants are required to have a plant or branch (company) or another entity to act as funding recipient (university, non-university research institution) in Germany at the time of payment of the grant. Small and medium-sized enterprises (SMEs) within the meaning of this call are companies that meet the requirements of the EU definition of SMEs (cf. Annex I of the GBER or the Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (notified under document number C(2003) 1422 (2003/361/EC): <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32003H0361&from=DE>)

The funding recipient will declare to the granting authority its classification according to Annex I of the GBER in its written application for funding.

Research institutions which receive basic funding from the Federal Government and/or the *Länder* can only be granted project funding on top of their institutional funding to cover additional project-related expenditure or costs under certain preconditions.

Concerning the conditions for when state aid is or is not deemed to be involved, and the extent to which funding can be provided without constituting aid, please consult the Commission communication concerning the Framework for State Aid for Research and Development and Innovation (OJ C 198 of 27 June 2014, p. 1); in particular Section 2.

4 Special prerequisites for funding

The partners in a collaborative project will set out the terms of cooperation in a written agreement. Collaboration partners which are research institutions within the meaning of Article 2(83) GBER must ensure that no indirect aid flows to companies under the collaboration. The provisions of Section 2.2 of the Commission communication concerning the Community Framework for State Aid for Research and Development and Innovation (OJ C 198 of 27 June 2014, p. 1) must be observed.

Before a funding decision on a collaborative project is taken, the cooperation partners must prove that they have reached a basic consensus on further criteria stipulated by the BMBF (cf. BMBF leaflet No. 0110 at https://foerderportal.bund.de/easy/easy_index.php?auswahl=easy_formulare; header BMBF under "Allgemeine Vordrucke und Vorlagen für Berichte".)

A consortium agreement must be concluded between all partners (national and international) which must accord with the provisions of BMBF form 0110. A combined cooperation and consortium agreement may be concluded provided that the requirements of form 0110 are met. The DESCAs Model Consortium Agreement (<http://www.desca-2020.eu>) may be used as a guide.

5 Type, scope and rates of funding

Funding will be awarded in the form of non-repayable project grants. The amount awarded per project will depend on the requirements of the proposed project and on the available budget.

Funding will be awarded to cover the following project-related expenditure and/or costs:

- Staff;
- Investments necessary to implement the project;
- Consumables;
- Official travel (only travel by the funding recipient);
- Expenditure on property rights protection;
- Award of contracts.

In planning the work, close consideration should be given to whether it might save costs and time to award individual work packages to specialized service providers instead of having the working group deal with these work packages.

Grants for commercial companies and for projects of research institutions which fall into the category of economic activities¹, will be calculated on the basis of the eligible project-related costs. As a rule, up to 50% can be covered by government grants, taking state aid legislation into account (see Annex) and depending on the project's

¹ For the definition of economic activity please refer to Section 2.1 (margin no. 17) of the Community Framework for State Aid for Research and Development and Innovation of 27 June 2014 (OJ C 198 of 27 June 2014, p. 1).

relevance to application. The BMBF's policy requires an appropriate own contribution of at least 50% towards the eligible costs incurred.

The basis for calculating the grants for higher education institutions, research and science institutions and similar establishments which do not fall into the category of economic activities is the eligible project-related expenditure (in the case of the Helmholtz centres and Fraunhofer, eligible project-related costs), which can receive up to 100% coverage in individual cases, taking into account state aid legislation.

In the case of non-commercial research projects at higher education institutions and teaching hospitals, a flat-rate grant amounting to 20% of total expenditure will be awarded in addition to the eligible expenditure.

The determination of the respective eligible costs must take account of the GBER (see Annex).

The calculation of the respective rate of funding must take account of the GBER (see Annex).

The maximum duration of the projects to be funded is three years.

Further information on the type and scope of funding can be found in the BMBF guidelines for application

(https://foerderportal.bund.de/easy/easy_index.php?auswahl=easy_formulare&formularschrank=bmbf).

6 Other terms and conditions

The *Nebenbestimmungen für Zuwendungen auf Kostenbasis des BMBF an gewerbliche Unternehmen für Forschungs- und Entwicklungsvorhaben* (NKBF 2017) (Auxiliary Terms and Conditions for Funds Provided by the BMBF to Commercial Companies for Research and Development Projects on a Cost Basis) will be part of the notification of award for grants on a cost basis.

Notification of award for grants on an expenditure basis will include the *Nebenbestimmungen für Zuwendungen auf Ausgabenbasis des Bundesministeriums für Bildung und Forschung zur Projektförderung* (NABF) (Auxiliary Terms and Conditions for Funds Provided by the Federal Ministry of Education and Research for the Promotion of Projects on an Expenditure Basis) and the *Besondere Nebenbestimmungen für den Abruf von Zuwendungen im mittelbaren Abrufverfahren im Geschäftsbereich des BMBF* (BNBest-mittelbarer Abruf-BMBF) for the drawdown of funds.

For the purpose of conducting progress reviews within the meaning of No. 11a of the administrative regulations pertaining to Section 44 of the Federal Budget Code (BHO), funding recipients are required to provide the BMBF or the reviewing institutions with the data necessary for the progress review without delay. The information will be used exclusively for the purposes of supporting research and any

subsequent evaluation; it will be treated confidentially and published in anonymized form, making it impossible to trace it back to individual persons or organizations.

Funding recipients are expected to ensure open electronic access if they publish the results of the research project in a scientific journal. This can be done through publication in an electronic journal which is accessible to the public free of charge. If the results are initially published in a way which does not provide the public with free electronic access, the article must be made publicly available free of charge by electronic means following an embargo period where appropriate (secondary publication). Embargo periods for secondary publication should not exceed 12 months. The BMBF expressly welcomes secondary open access publication of scientific monographs resulting from the project.

7 Procedure

7.1 Involvement of a project management organization and request for documents

The BMBF has currently entrusted the following project management organization with implementing the funding measure:

Project Management Jülich (PtJ)

- Bioeconomy -

Forschungszentrum Jülich GmbH
52425 Jülich

Contact:

Dr. Veronika Jablonowski

PtJ-BIO 7

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Internet: <http://www.ptj.de>

Any modifications will be announced in the *Bundesanzeiger* (Federal Gazette) or in another suitable form.

Further information is available from the project management organization. Forms for funding applications, guidelines, leaflets, information and auxiliary terms and conditions are available on the Internet at "Formularschrank BMBF" (https://foerderportal.bund.de/easy/easy_index.php?auswahl=easy_formulare&formularschrank=bmbf) or can be obtained from the project management organization. The electronic application system "easy-Online" (<https://foerderportal.bund.de/easyonline>) must be used for drafting formal applications.

It is recommended that potential applicants contact the responsible project management organization at an early stage

7.2 Two-phase application procedure

The application procedure consists of two phases.

7.2.1 First phase: Project outline

In the first phase, project outlines must be submitted in English to Project Management Jülich in electronic form using the web portal www.bioeconomy-international.de. The project outlines must contain all the information needed to enable the panel of experts to form a final opinion based on the criteria listed below. Further information about the content and structure of the outline is available at www.bioeconomy-international.de.

In addition, signed letters from all foreign partners must be submitted for Module 1. Each letter must contain a secure and binding financial commitment of the respective partner. The letters are to be uploaded on the web portal separately from the project outline. They must contain information about the motivation of the project partners and the work the partners will carry out in the project and about how the funding of this work will be secured (funding through ongoing projects, institutional/company funds, application for financial support, etc.).

The upload of the project outlines on the web portal www.bioeconomy-international.de must be completed by 11 am CET on 26 August 2019. The portal will close when the deadline is passed. The deadline for submission is not a cut-off deadline. It may not be possible to consider project outlines received after the above date or which are incomplete. Project outlines or parts thereof may not be submitted by e-mail or fax.

Plans have been made to issue further calls for "Bioeconomy International". Announcements will be published in due course on the relevant BMBF websites; relevant information can also be obtained from Project Management Jülich.

7.2.2 Selection of project outlines

The project outlines received will be checked for completeness of required documents and compliance with formal criteria. They will then be evaluated together with external experts in accordance with the following criteria:

- Relevance to funding objectives of the BMBF as set out in the National Research Strategy BioEconomy 2030 and the Federal Government's Internationalization Strategy
- Added value for the implementation of the National Research Strategy BioEconomy 2030 generated by the envisaged international cooperation
- Relevance of research approach, quality and originality of the proposed solution
- Prospects of success and applicability of the project results (in scientific and economic terms)
- Excellence and expertise of the applicant and the partners involved (German and international); relevant previous work of all partners
- Adequate volume and structure of the project, quality and stringency of budget as well as time and work schedule, balance of workload and networking of partners.

7.2.3 Second phase: Submission of formal proposals and decision-making procedure

In the second phase of the procedure, the applicants whose project outlines have been successful will be invited to submit formal proposals. In the case of collaborative projects, the funding applications must be submitted in consultation with the proposed collaboration coordinator.

The following details and explanations must be added to the information in the project outline, taking account of the experts' comments and recommendations:

- Project name (in German);
- Summary of the project description (max. one A4 page in German);
- Detailed financial plan of the project (expenditure on staff, consumables, project-related travel, contract work, etc.);
- Milestone planning: List of envisaged (interim) results and criteria for discontinuation where appropriate;
- Utilization plan: Description of economic and scientific prospects and potential for commercial and scientific follow-up, indicating the time horizon of individual utilization options.
- Reason for funding requirement;
- Schedule for the drafting of the cooperation agreement between the collaboration partners.

Formal proposals must be drafted using the "easy-Online" electronic application system (<https://foerderportal.bund.de/easyonline>). The electronic forms generated must in addition be legally signed and forwarded to the competent project management organization by post. Forwarding of the documents must be done within the two working days following the deadline for electronic submission. The date of the postmark will count as the submission date. Submission by e-mail or fax is not allowed.

The proposals received will be reviewed and evaluated according to the following criteria:

- Eligibility for funding (including in respect of section 5 of these regulations);
- Necessity and appropriateness of requested funding;
- Plausibility of the explanations regarding the financial plan;
- Quality and value of the utilization plan, also with regard to the funding objectives of these regulations;
- Fulfilment of possible requirements resulting from the first phase and compliance with the recommended financial framework.

A funding decision will be taken after final consideration on the basis of the stated criteria and evaluation. Funding of the projects is subject to the proviso that the budget funds required are available to the BMBF and that funding for the foreign partners is guaranteed.

An application for funding must at least fulfill the requirements of Article 6(2) GBER (cf. Annex to these funding regulations).

7.3 Relevant regulations

The submission of project outlines and proposals does not establish a legal claim to funding. The approval and payment of and accounting for the funds as well as the proof and examination of the proper use and, if necessary, the revocation of the award and the reclaiming of the funds awarded are governed by sections 48 to 49a of the Administrative Procedure Act (VwVfG), sections 23 and 44 of the Federal Budget Code (BHO) and the related administrative regulations unless deviation is allowed from the administrative regulations under the present funding regulations. The *Bundesrechnungshof* is entitled to carry out audits in accordance with Section 91 of the Federal Budget Code (BHO).

8 Validity

These funding regulations will enter into force on the day of their publication in the Federal Gazette (*Bundesanzeiger*). They will be valid until the day of expiry of their legal basis for state aid, the GBER, to which a six-month adaptation period is added,

that is, until 30 June 2021. If the period of the GBER is extended without relevant amendments concerning state aid rules, the duration of these funding regulations will be extended accordingly, though not beyond 31 December 2028. If the GBER is not extended but replaced by a new GBER or if relevant amendments are made to the content of the currently applicable GBER, follow-up funding regulations will be adopted which will comply with the then applicable exemption provisions and remain effective at least until 31 December 2028.

Berlin, ...

Federal Ministry of Education and Research

Andrea Noske

Annex: Requirements of state aid legislation

The following requirements of state aid legislation apply to these funding regulations:

1 General prerequisites for funding

The aid is only lawful if all the prerequisites of Chapter I GBER and the prerequisites in Chapter III applicable to the designated category of state aid are fulfilled in line with Article 3 GBER. Funding recipients are advised that the national courts are obliged to order the repayment of unlawful state aid in accordance with the rulings of the European courts.

In applying for funding under these funding regulations, applicants commit themselves to actively cooperate in complying with state aid legislation. Thus, applicants must, upon application or subsequently, provide information and documentation requested by the funding provider as evidence of credit worthiness and conformity with state aid requirements. Furthermore, applicants must cooperate within any procedures of or at the European Commission and comply with all requirements of the Commission.

A prerequisite for the granting of state aid under an aid scheme exempted by the GBER is that this has an incentive effect within the meaning of Article 6(2) GBER. State aid is considered to have an incentive effect if the beneficiary has submitted a written application for the aid in the Member State concerned before work on the project or activity starts. The application for aid must include at least the following information: name and size of the undertaking; description of the project including its start and end dates; location of the project; the costs of the project; type of aid (e.g. grant, loan, guarantee, repayable advance payment or capital injection) and level of the public financing needed for the project.

State aid on the basis of the GBER will not be granted if there are grounds for exclusion under Article 1(2 to 5) GBER; in particular this applies if the undertaking is subject to an outstanding recovery order following a previous Commission decision declaring an aid illegal and incompatible with the internal market or the undertaking is an "undertaking in difficulty" as defined in Article 2(18) GBER.

European legislation requires that every individual aid exceeding EUR 500,000 must be published on a special website (cf. Article 9 GBER).

In individual cases, the aid received may be monitored by the Commission in line with Article 12 GBER.

State aid is granted under these funding regulations in the form of grants in accordance with Article 5(1 and 2) GBER.

The GBER restricts the granting of state aid for economic activities in the following areas to the corresponding maximum amounts stated below:

- EUR 40 million per undertaking, per project which mostly involves fundamental research (Article 4(1)(i)(i) GBER); that is the case where more than half of the eligible costs of the project are incurred through activities which fall within the category of fundamental research;
- EUR 20 million per undertaking, per project which mostly involves industrial research (Article 4(1)(i)(ii) GBER); that is the case where more than half of the eligible costs of the project are incurred through activities which fall within the category of industrial research or within the categories of industrial research and fundamental research taken together;
- EUR 15 million per undertaking, per project which mostly involves experimental development (Article 4(1)(i)(iii) GBER); that is the case where more than half of the eligible costs of the project are incurred through activities which fall within the category of experimental development;
- EUR 5 million per undertaking per project as innovation aid for SMEs (Article 4(1)(l) GBER).

The rules concerning cumulation set out in Article 8 GBER must be observed when determining whether these maximum amounts (notification thresholds) are respected. The maximum amounts may not be circumvented by artificially splitting up projects with related content. Partial approval up to the notification threshold for an aid is not permitted.

2 Scope/rates of funding; cumulation

The following provisions of the GBER apply to these funding regulations, in particular concerning eligible costs and state aid intensities. The following eligible costs and intensities set out the overall thresholds within which eligible costs and rates of funding for projects involving economic activity can be granted.

The aided part of the research project must fall completely within one or more of the following categories:

- a) Fundamental research
- b) Industrial research
- c) Experimental development

(cf. Article 25(2) GBER; definitions according to Article 2(84 f.) GBER).

For the purpose of classifying research work as fundamental research, industrial research, and experimental development, please refer to the relevant information in no. 75 and footnote no. 2 of the Community Framework for State Aid for Research and Development and Innovation (OJ C 198 of 27 June 2014, p. 1 ff.).

The eligible costs of each research and development project must be allocated to the relevant research and development categories.

Eligible costs in accordance with Article 25(3) GBER are:

- Staff costs: for researchers, technicians and other supporting staff to the extent employed on the project (Article 25(3)(a) GBER);
- Costs of instruments and equipment to the extent and for the period used for the project. Where such instruments and equipment are not used for their full life for the project, only the depreciation costs corresponding to the life of the project, as calculated on the basis of generally accepted accounting principles are considered as eligible (Article 25(3)(b) GBER);
- Costs for buildings and land, to the extent and for the period used for the project. With regard to buildings, only the depreciation costs corresponding to the life of the project, as calculated on the basis of generally accepted accounting principles are considered as eligible. For land, costs of commercial transfer or actually incurred capital costs are eligible (Article 25(3)(c) GBER);
- Costs of contractual research, knowledge and patents bought or licensed from outside sources at arm's length conditions, as well as costs of consultancy and equivalent services used exclusively for the project (Article 25(3)(d) GBER);
- Additional overheads and other operating expenses, including costs of materials, supplies and similar products, incurred directly as a result of the project (Article 25(3)(e) GBER).

The stated costs eligible for state aid set out the maximum scope within which eligible costs are granted under these regulations.

Pursuant to Article 25(5) GBER, the aid intensity for each beneficiary must not exceed the following rates:

- 100% of the eligible costs for fundamental research (Article 25(5)(a) GBER);
- 50% of the eligible costs for industrial research (Article 25(5)(b) GBER);
- 25% of the eligible costs for experimental development (Article 25(5)(c) GBER).

The aid intensities for industrial research and experimental development may be increased up to a maximum 80% of the costs eligible for state aid as follows if the prerequisites stated in Article 25(6) are fulfilled:

- a) by 10% for medium-sized enterprises and 20% for small enterprises;
- b) by 15% if one of the following conditions is fulfilled:
 - i. The project involves effective collaboration
 - between undertakings among which at least one is an SME, or is carried out in at least two EU Member States, or in a Member State and in a Contracting Party of the EEA Agreement, and no single undertaking bears more than 70% of the eligible costs, or
 - between an undertaking and one or more research and knowledge-dissemination organizations, where the latter bear at least 10% of the eligible costs and have the right to publish their own research results;
 - ii. the results of the project are widely disseminated through conferences, publication, open access repositories, or free or open source software.

For SMEs, costs for obtaining patents and other intangible assets are also eligible for aid in accordance with Article 28(1) and (2)(a) GBER in conjunction with Article 2(30) GBER. Pursuant to Article 28(3) GBER, the aid intensity in this case may not exceed 50% of the eligible costs.

Article 7(1) GBER requires that the eligible costs be supported by documentary evidence which must be clear, specific and contemporary.

For the purposes of calculating aid intensity and eligible costs, all figures used must be taken before any deduction of tax or other charge.

For the purposes of complying with the maximum permissible aid intensity, the rules concerning cumulation set out in Article 8 GBER must be observed:

The cumulation of several aid measures for the same eligible costs/expenditure is only allowed in exceptional cases as specified below:

Where European Union funding centrally managed by the institutions, agencies, joint undertakings or other bodies of the Union, which is not directly or indirectly under the control of Member States and therefore does not constitute state aid (including the European Structural and Investment Funds among others), is combined with state aid, only the latter may be considered for determining whether notification thresholds and maximum aid intensities or maximum aid amounts are respected, provided that the total amount of public funding granted in relation to the same eligible costs (including centrally managed Union funds) does not exceed the most favourable funding rate laid down in the applicable rules of European Union law.

Aid with identifiable eligible costs exempted by the GBER may be cumulated with:

- a) any other state aid, as long as those measures concern different identifiable eligible costs,
- b) any other state aid, in relation to the same eligible costs, partly or fully overlapping, only if such cumulation does not result in exceeding the highest aid intensity or aid amount applicable to this aid under the GBER.

Aid without identifiable eligible costs may be cumulated with any other state aid without identifiable eligible costs, up to the highest relevant total financing threshold fixed in the specific circumstances of each case by the GBER or a decision adopted by the Commission.

State aid exempted under the GBER may not be cumulated with any de minimis aid in respect of the same eligible costs if such cumulation would result in an aid intensity or aid amount exceeding those laid down in Chapter III of the GBER.

