

PART I. GENERAL INFORMATION

STATUS OF THE NOTIFICATION

Does the information transmitted on this form concern:

a notification pursuant to Article 88 (3) EC Treaty?

a possible unlawful aid¹?

If yes, please specify the date of putting into effect of the aid. Please complete this form, as well as the relevant supplementary forms.

a non-aid measure which is notified to the Commission for reasons of legal certainty?

Please indicate below the reasons why the notifying Member State considers that the measure does not constitute State aid in the meaning of Article 87(1) EC Treaty. Please complete the relevant parts of this form and provide all necessary supporting documentation.

A measure will not constitute State aid if one of the conditions laid down in Article 87(1) EC Treaty is not fulfilled. Please provide a full assessment of the measure in the light of the following criteria focusing in particular on the criterion which you consider not to be met:

- ✓ No distortion of competition / no affectation of intra-community trade (*For example, where the activity is not of an economic nature or where the economic activity is purely local*)

La misura riguarda gli interventi previsti dalla misura 226 “Ricostituzione del potenziale forestale ed interventi preventivi” del Programma di Sviluppo Rurale per la Toscana 2007-2013. Gli interventi sono realizzati esclusivamente da soggetti pubblici di diritto pubblico che operano nell’ambito della loro attività istituzionale con finalità non economiche (quali Regione Toscana, Agenzie Regionali, Amministrazioni provinciali, Comunità Montane, Unioni di Comuni, Comuni, Enti gestori dei parchi, Aziende regionali, Agenzie regionali, altri Enti regionali, altri Enti pubblici e loro associazioni) e rivestono esclusiva finalità pubblica al fine di contribuire alla mitigazione dei cambiamenti climatici, alla conservazione della biodiversità e tutela delle specie selvatiche e di quelle coltivate o allevate, alla riduzione dell’erosione del suolo.

¹ According to Article 1(f) of Council Regulation (EC) No 659/1999 of 22 March 1999 laying down detailed rules for the application of Article 93 of the EC Treaty (OJ L 83, 27.3.1999, p. 1) (hereinafter “Procedural Regulation”), unlawful aid shall mean new aid put into effect in contravention of Article 88(3) of the EC-Treaty.

Con questa misura, nel dettaglio, si vuole incentivare l'esecuzione di interventi preventivi di miglioramento delle caratteristiche dei popolamenti forestali, di difesa attiva o passiva contro gli incendi boschivi e le calamità naturali o per la pubblica incolumità, e l'esecuzione di interventi di ricostituzione del potenziale forestale danneggiato in seguito ad incendi boschivi o disastri naturali.

Pertanto, la misura non falsa né minaccia di falsare la concorrenza.

1. IDENTIFICATION OF THE AID GRANTOR

1.1. Member State concerned

ITALIA

1.2. Region(s) concerned (if applicable)

REGIONE TOSCANA

1.3.

Responsible contact person:

Name : GIOVANNI VIGNOZZI

Address : c/o Regione Toscana, DG Sviluppo Economico, Settore Programmazione Forestale – via di Novoli, 26 – 50127 FIRENZE (Italy)

Telephone : +39 0554383770

Fax : +39 0554383066

E-mail : giovanni.vignozzi@regione.toscana.it

1.4. Responsible contact person at the Permanent Representation

Name : LUIGI POLIZZI

Address : Rue du Marteau, 7-15 - 1000 Bruxelles

Telephone : +32 2 22 00 493

Fax : +32 2 22 00 426

E-mail : agri@rpue.esteri.it

1.5. If you wish that a copy of the official correspondence sent by the Commission to the Member State should be forwarded to other national authorities, please indicate here their name and address:

Name :

 Address :

1.6. Indicate Member State reference you wish to be included in the correspondence from the Commission :

REGIONE TOSCANA – DG SVILUPPO ECONOMICO - SERVIZIO
 PROGRAMMAZIONE FORESTALE

2. IDENTIFICATION OF THE AID

2.1. Title of the aid (or name of company beneficiary in case of individual aid)

MISURA 226 "RICOSTITUZIONE DEL POTENZIALE FORESTALE E INTERVENTI PREVENTIVI" - PROGRAMMA DI SVILUPPO RURALE DELLA REGIONE TOSCANA 2007/2013

2.2. Brief description of the objective of the aid.

Please indicate primary objective and, if applicable, secondary objective(s) :

	Primary objective <i>(please tick <u>one</u> only)</i>	Secondary objective²
✓ Regional development	<input type="checkbox"/>	<input type="checkbox"/>
✓ Research and development	<input type="checkbox"/>	<input type="checkbox"/>
✓ Environmental protection	<input checked="" type="checkbox"/>	<input type="checkbox"/>
✓ Rescuing firms in difficulty	<input type="checkbox"/>	<input type="checkbox"/>
✓ Restructuring firms in difficulty	<input type="checkbox"/>	<input type="checkbox"/>
✓ SMEs	<input type="checkbox"/>	<input type="checkbox"/>
✓ Employment	<input type="checkbox"/>	<input type="checkbox"/>
✓ Training	<input type="checkbox"/>	<input type="checkbox"/>
✓ Risk capital	<input type="checkbox"/>	<input type="checkbox"/>
✓ Promotion of export and internationalisation	<input type="checkbox"/>	<input type="checkbox"/>

² A secondary objective is one for which, in addition to the primary objective, the aid will be exclusively earmarked. For example, a scheme for which the primary objective is research and development may have as a secondary objective small and medium-sized enterprises (SMEs) if the aid is earmarked exclusively for SMEs. The secondary objective may also be sectoral, in the case for example of a research and development scheme in the steel sector.

- | | | |
|---|--------------------------|--------------------------|
| ✓ Services of general economic interest | <input type="checkbox"/> | <input type="checkbox"/> |
| ✓ Sectoral development ³ | <input type="checkbox"/> | <input type="checkbox"/> |
| ✓ Social support to individual consumers | <input type="checkbox"/> | <input type="checkbox"/> |
| ✓ Compensation of damage caused by natural disasters or exceptional occurrences | <input type="checkbox"/> | <input type="checkbox"/> |
| ✓ Execution of an important project of common European interest | <input type="checkbox"/> | <input type="checkbox"/> |
| ✓ Remedy for a serious disturbance in the economy | <input type="checkbox"/> | <input type="checkbox"/> |
| ✓ Heritage conservation | <input type="checkbox"/> | <input type="checkbox"/> |
| ✓ Culture | <input type="checkbox"/> | <input type="checkbox"/> |

2.3. Scheme - Individual aid⁴

2.3.1. Does the notification relate to an aid scheme?

yes no

➤ If yes, does the scheme amend an existing aid scheme?

yes no

➤ If yes, are the conditions laid down for the simplified notification procedure pursuant to Article 4(2) of the Implementation Regulation (EC) N° (...) of (...) fulfilled?

yes no

➤ If yes, please use and complete the information requested by the simplified notification form (see Annex II).

➤ If no, please continue with this form and specify whether the original scheme which is being amended was notified to the Commission.

yes no

➤ If yes, please specify:

Aid number:

.....
.....

Date of Commission approval (reference of the letter of the Commission (SG(..)D/...):

³ Please specify sector in point 4.2.

⁴ According to Article 1(e) of Council Regulation (EC) No 659/1999 of 22 March 1999 laying down detailed rules for the application of Article 93 of the EC Treaty (OJ L 83, 27.3.1999, p. 1), individual aid shall mean aid that is not awarded on the basis of an aid scheme and notifiable award of aid on the basis of a scheme.

...../...../.....
.....
Duration of the original
scheme:.....
Please specify which conditions are being amended in relation to
the original scheme and
why:.....

2.3.2 Does the notification relate to individual aid?

yes no

➤ If yes, please tick the following appropriate box

aid based on a scheme which should be individually notified

Reference of the authorised scheme:

Title :

.....
Aid number :

..... Letter of
Commission approval :

individual aid not based on a scheme

2.3.3. Does the notification relate to an individual aid or scheme notified pursuant to an exemption regulation? If yes, please tick the following appropriate box:

Commission Regulation (EC) No 70/2001 on the application of Articles 87 and 88 EC Treaty to State aid to small and medium-sized enterprises⁵. Please use the supplementary information sheet under part III, 1

Commission Regulation No 68/2001 on the application of Articles 87 and 88 EC Treaty to training aid⁶. Please use the supplementary information sheet under part III, 2

Commission Regulation (EC) No 2204/2002 on the application of Articles 87 and 88 EC Treaty to State aid for employment⁷. Please use the supplementary information sheet under part III, 3

⁵ Commission Regulation (EC) No 70/2001 of 12 January 2001 on the application of Articles 87 and 88 of the EC Treaty to State aid to small and medium sized enterprises, OJ L 10, 13.1.2001, p. 33., as amended by Commission Regulation (EC) 364/2004, OJ L 364/2004 of 28.02.2004, p. 27

⁶ Commission Regulation (EC) No 68/2001 of 12 January 2001 on the application of Articles 87 and 88 of the EC Treaty to State aid to training aid, OJ L 10, 13.1.2001, p. 20, as amended by Commission Regulation (EC) 363/2004, OJ L 63 of 28.02.2004 p. 20

- Commission Regulation (EC) No 1/2004 on the application of Articles 87 and 88 EC Treaty to State aid to small and medium-sized enterprises active in the production, processing and marketing of agricultural products (OJ L 1 of 03.01.2004).

3. NATIONAL LEGAL BASIS

3.1. Please list the national legal basis including the implementing provisions and their respective sources of references:

Title:

Misura 226 “Ricostituzione del potenziale forestale ed interventi preventivi” del Programma di Sviluppo Rurale 2007-2013 della Regione Toscana (Decisione della Commissione delle Comunità europee del 16/10/2007 n. C(2007) 4664), e modifiche approvate con:

- la nota prot. AGRI n. 13555 del 5 giugno 2008;
- la nota prot. AGRI n. 6502 del 09 marzo 2009;
- la nota prot. AGRI n. 154497 del 19 giugno 2009
- la Decisione del 31/11/2009 n. C(2009) 9623.

Reference (where applicable):

.....
.....
.....
.....

3.2. Please indicate the document(s) enclosed with this notification:

A copy of the relevant extracts of the final text(s) of the legal basis (and a web link, if possible)

A copy of the relevant extracts of the draft text(s) of the legal basis (and a web link, if existing):

http://www.regione.toscana.it/regione/export/RT/sito-RT/Contenuti/sezioni/agricoltura/sviluppo_rurale/rubriche/documentazione/visualizza_ass et.html_179158733.html

⁷ Commission Regulation (EC) No 2204/2002 of 12 December 2002 on the application of Articles 87 and 88 of the EC Treaty to State aid for employment, OJ L 337, 13.12.2002, p. 3 and OJ L 349, 24.12.2002, p. 126.

3.3. In case of a final text, does the final text contain a clause whereby the aid granting body can only grant after the Commission has cleared the aid (stand still clause)?

yes no

4. BENEFICIARIES

4.1. Location of the beneficiary(ies)

- in (an) unassisted region(s)
 in (a) region(s) eligible for assistance under Article 87(3)(c) EC Treaty (specify at NUTS-level 3 or lower)
 in (a) region(s) eligible for assistance under Article 87(3)(a) EC Treaty (specify at NUTS-level 2 or lower)
 mixed: specify
-

4.2. Sector(s) of the beneficiary(ies):

- Not sector specific
 A Agriculture
 B Fisheries
 C Mining and Quarrying
 10.1 Coal
 D Manufacturing industry
 17 Textiles
 21 Pulp and paper
 24 Chemical and pharmaceutical industry
 24.7 Man-made fibres
 27.1 Steel⁸
 29 Industrial machinery
 DL Electrical and optical equipment
 34.1 Motor vehicles
 35.1 Shipbuilding
 Other Manufacturing sector, please

specify:

- E Electricity, gas and water supply
 F Construction
 52 Retail Services
 H Hotels and restaurants (Tourism)
 I Transport
 60 Land transport and transport via pipelines
 60.1 Railways
 60.2 Other land transport
 61.1 Sea and coastal water transport
 61.2 Inland water transport
 62 Air transport

⁸ Annex B to the Communication from the Commission: "Multisectoral framework on regional aid for large investment projects", OJ C 70, 19.3.2002, p. 8.

- 64 Post and telecommunications
- J Financial intermediation
- 72 Computer and related activities
- 92 Recreational, cultural and sporting activities
- Other, please specify according to NACE rev. 1.1 classification⁹:
.....

4.3. In case of an individual aid:

Name of the beneficiary :

Type of beneficiary :

SME

Number of employees :

Annual turnover :

Annual balance-sheet :

Independence :

(please attach a solemn declaration in line with the Commission Recommendation on SME¹⁰ or provide any other evidence to demonstrate the above criteria):

.....
.....

large enterprise

firm in difficulties¹¹

4.4. In case of an aid scheme:

Type of beneficiaries:

all firms (large firms and small and medium-sized enterprises)

only large enterprises

small and medium-sized enterprises

medium-sized enterprises

small enterprises

micro enterprises

⁹ NACE Rev.1.1 is the Statistical classification of economic activities in the European Community.

¹⁰ Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises, OJ L 124, 20.5.2003, p. 36 and Commission Regulation (EC) No 364.../2004 amending Regulation (EC) No 70/2001 as regards the extension of its scope to include aid for research and development.

¹¹ As defined in the Community Guidelines for rescuing and restructuring firms in difficulties OJCE C 288 of 9.10.1999, p. 218.

the following beneficiaries: soggetti pubblici di diritto pubblico che operano nell' ambito della loro attività istituzionale con finalità non economiche (quali Regione Toscana, Agenzie Regionali, Amministrazioni provinciali, Comunità Montane, Unioni di Comuni, Comuni, Enti gestori dei parchi, Aziende regionali, Agenzie regionali, altri Enti regionali, altri Enti pubblici e loro associazioni)

Estimated number of beneficiaries :

- under 10
- from 11 to 50
- from 51 to 100
- from 101 to 500
- from 501 to 1000
- over 1000

5. AMOUNT OF AID / ANNUAL EXPENDITURE

In case of an individual aid, indicate the overall amount of each measure concerned:

.....
.....

In case of a scheme, indicate the annual amount of the budget planned and the overall amount (in national currency):

2010: 15 milioni Euro
2011: 10 milioni Euro
2012: 7 milioni Euro
2013: 4 milioni Euro

For tax measures, please indicate the estimated annual and overall revenue losses due to tax concessions for the period covered by the notification:

.....
.....

If the budget is not adopted annually, please specify what period it covers:

€ 36.000.000,00 – dal 1 Gennaio 2010 AL 31 Dicembre 2013

If the notification concerns changes to an existing scheme, please give the budgetary effects of the notified changes to the scheme:

.....
.....

6. FORM OF THE AID AND MEANS OF FUNDING

Specify the form of the aid made available to the beneficiary (where appropriate, for each measure):

- Direct grant

- Soft loan (including details of how the loan is secured)
- Interest subsidy
- Tax advantage (e.g. tax allowance, tax base reduction, tax rate reduction, tax deferment). Please specify:
-
- Reduction of social security contributions
- Provision of risk capital
- Debt write-off
- Guarantee (including amongst others information on the loan or other financial transaction covered by the guarantee, the security required and the premium to be paid)
- Other. Please specify:.....

For each instrument of aid, please give a precise description of its rules and conditions of application, including in particular the rate of award, its tax treatment and whether the aid is accorded automatically once certain objective criteria are fulfilled (if so, please mention the criteria) or whether there is an element of discretion by the awarding authorities.

.....

.....

Specify the financing of the aid: if the aid is not financed through the general budget of the State/region/municipality , please explain its way of financing:

- Through parafiscal charges or taxes affected to a beneficiary, which is not the State. Please provide full details of the charges and the products/activities on which they are levied. Specify in particular whether products imported from other Member States are liable to the charges. Annex a copy of the legal basis for the imposition of the charges.....
- Accumulated reserves
- Public enterprises
- Other (please specify) Fondi FEASR - Reg. (CE) 1698/05

7. DURATION

7.1. In the case of an individual aid:

Indicate the date when the aid will be put into effect (If the aid will be granted in *tranches*, indicate the date of each *tranche*)

Specify the duration of the measure for which the aid is granted, if applicable

7.2. In the case of a scheme:

Indicate the date from which on the aid may be granted
 L'aiuto può essere concesso a partire dal 15/06/ 2010

.....

Indicate the last date until which aid may be granted
L'aiuto può essere concesso entro il 31 dicembre 2013.....

If the duration exceeds six years, please demonstrate that a longer time period is indispensable to achieve the objective(s) of the scheme:

.....
.....

8. CUMULATION OF DIFFERENT TYPES OF AID

Can the aid be cumulated with aid received from other local, regional, national or Community schemes to cover the same eligible costs?

yes no

If so, describe the mechanisms put in place in order to ensure that the cumulation rules are respected:.....

.....

9. PROFESSIONAL CONFIDENTIALITY

Does the notification contain confidential information which should not be disclosed to third parties?

yes no

If so, please indicate which parts are confidential and explain why:

.....
.....
.....

If no, the Commission will publish its decision without asking the Member State.

10. COMPATIBILITY OF THE AID

Please identify which of the existing Regulations, frameworks, guidelines and other texts applicable to State aid provide an explicit legal basis for the authorisation of the aid (where appropriate please specify for each measure) and complete the relevant supplementary information sheet(s) in part III

- SME aid
 Notification of an individual aid pursuant to Article 6 of Regulation (EC) No 70/2001
as amended by Regulation (EC) No.364/2004

- Notification for legal certainty
- Aid for SMEs in the agricultural sector

- Training aid
 - Notification of an individual aid pursuant to Article 5 of Regulation (EC) No 68/2001
 - as amended by Regulation (EC) 363/2004
 - Notification for legal certainty

- Employment aid
 - Notification of an individual aid pursuant to Article 9 of Regulation (EC) No 2204/2002
 - Notification of a scheme pursuant to Article 9 of Regulation (EC) No 2204/2002
 - Notification for legal certainty

- Regional aid
 - Aid coming under the multisectoral framework on regional aid for large investment projects
 - Research and development aid
 - Aid for rescuing firms in difficulty
 - Aid for restructuring firms in difficulty
 - Aid for audio-visual production
 - Environmental protection aid
 - Risk capital aid
 - Aid in the agricultural sector
 - Aid in the transport sector
 - Shipbuilding aid

Where the existing Regulations, frameworks, guidelines or other texts applicable to State aid do not provide an explicit basis for the approval of any of the aid covered by this form, please provide a fully reasoned justification as to why the aid could be considered as compatible with the EC Treaty, referring to the applicable exemption clause of the EC Treaty (Article 86(2), Article 87(2) (a) or (b) , Article 87(3) (a), (b), (c) or (d)) as well as other specific provisions relating to Agriculture and Transport

11. OUTSTANDING RECOVERY ORDERS

In the case of individual aid has any potential beneficiary of the measure received state aid which is the subject of an outstanding recovery order by the Commission?

yes no

If yes, please provide complete details:.....

.....
...
.....
.
.....
....

12. OTHER INFORMATION

Please indicate here any other information you consider relevant to the assessment of the measure(s) concerned under State aid rules.

La notifica alla Commissione per ragioni di certezza giuridica della presente misura che non costituisce aiuto, è inoltrata a seguito alla modifica del Reg. CE 1974/2006 che esclude dall'applicazione dell'art. 36 del trattato anche l'articolo 48 (considerato nella presente notifica) e la relativa misura.

Nel rispetto del Reg. CE 1698/2006 sullo sviluppo rurale, la presente misura riguarda gli interventi previsti dalla misura 226 "Ricostituzione del potenziale forestale ed interventi preventivi" del Programma di Sviluppo Rurale per la Toscana 2007-2013.

Gli interventi sono realizzati esclusivamente da soggetti pubblici, che operano nell'ambito della loro attività istituzionale con finalità non economiche e rivestono esclusiva finalità pubblica, al fine di contribuire alla mitigazione dei cambiamenti climatici, alla conservazione della biodiversità e tutela delle specie selvatiche e di quelle coltivate o allevate, alla riduzione dell'erosione del suolo.

13. ATTACHMENTS

Please list here all documents which are attached to the notification and provide paper copies or direct internet links to the documents concerned.

Scheda della Misura 226 "Ricostituzione del potenziale forestale ed interventi preventivi" del Programma di Sviluppo Rurale 2007-2013 della Regione Toscana (Decisione della Commissione delle Comunità europee del 16/10/2007 n. C(2007) 4664), e modifiche approvate con:

- la nota prot. AGRI n. 13555 del 5 giugno 2008;
- la nota prot. AGRI n. 6502 del 09 marzo 2009;
- la nota prot. AGRI n. 154497 del 19 giugno 2009
- la Decisione del 31/11/2009 n. C(2009) 9623.

14. DECLARATION

I certify that to the best of my knowledge the information provided on this form, its annexes and its attachments is accurate and complete.

Date and place of signature

Signature :

Name and position of person signing.....