**MINISTRY OF PUBLIC FINANCE**

16 Libertatii Avenue, district 5, code 050706, Bucharest

Actions of communication with the economic operators, in the implementation of State aid schemes managed by DGAS Code: PO-23.22

Version I, May 21, 2019, Revision 1

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# Amendment record form

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **No.** | **Version** | **Version date** | **Rev.** | **Revision date** | **Page** | **Description of the amendment** | **Signature** |
| **1.** | **I** | **12 September 2018** | **1** | **21 May 2019** | Page 6 | At point 5.1 (3) shall be introduced point 5 with the following content: “*The wording (…) Form F-PO-23.22.07*” | (illegible signature) |
| 2. | I | **12 September 2018** | **1** | **21 May 2019** | Page 7 | At point 5.3 shall be introduced point (4) with the following content: “*Discussions (…) audio*” and shall be renumbered. | (illegible signature) |
| 3. | I | **12 September 2018** | **1** | **21 May 2019** | Page 7 | At point 5.4 shall be supplemented the text with the expression: “*and archiving of audio recordings.*” | (illegible signature) |
| 4. | I | **12 September 2018** | **1** | **21 May 2019** | Page 7 | At point 5.4 shall be introduced para. (2) with the following content: “*Recordings (…) of the archiving.*” | (illegible signature) |
| 5. | I | **12 September 2018** | **1** | **21 May 2019** | Page 14 | Form F-PO-23.22.07 the wording under para. 3 shall be supplemented as follows: “…*are agree with the audio recording of the discussions that shall take place therein.*” | (illegible signature) |
| 6. | I | **12 September 2018** | **1** | **21 May 2019** | Page 16 | Form F-PO-23.22.07 the wording under para. 3 shall be supplemented with the text: “*Note: The discussions held during the technical meeting have been audio recorded.*” | (illegible signature) |

1. Purpose
   1. This procedure has the purpose of establishing the manner of communication of the representatives of D.G.A.S. and S.C.R.P.M.M.T. with possible beneficiaries/beneficiaries of State aid, in the implementation of State aid schemes.
2. Scope

The procedure is applicable to the personnel of D.G.A.S. and S.C.R.P.M.M.T.

1. Reference documents
   1. Primary legislation
2. The Constitution of Romania, republished, art. 31;
3. Law no. 188/1999 on the Statute of civil servants, republished, as subsequently amended and supplemented;
4. Law no. 544/2001 on free access to information of public interest, as subsequently amended and supplemented;
5. Government Ordinance no. 27/2002 regulating the activity of settlement of claims, as subsequently amended and supplemented;
6. Law no. 7/2004 on the Code of Conduct of civil servants, republished.
   1. Secondary legislation
7. Government Decision no. 807/2014 on the establishment of State aid schemes to support investments with major impact in the economy, as subsequently amended and supplemented;
8. Government Decision no. 332/2014 on the establishment of a State aid scheme to support investments promoting regional development through the creation of jobs, as subsequently amended and supplemented;
9. Government Decision no. 797/2012 on the establishment of a State aid scheme to support investments promoting regional development through the use of new technologies and the creation of jobs, as subsequently amended and supplemented;
10. Government Decision no. 753/2008 on the establishment of a State aid scheme on regional development through stimulation of investments, as subsequently amended and supplemented;
11. Government Decision no. 1680/2008 on the establishment of a State aid scheme to ensure sustainable economic development, as subsequently amended and supplemented;
12. Order of the minister of public finance no. 370/2002 regulating the activity of settlement of claims in the M.P.F.
13. Definitions and abbreviations
    1. Definitions:
14. Communication = actions taken by the representatives of D.G.A.S. and S.C.R.P.M.M.T. in order to inform the possible beneficiaries/beneficiaries of State aid on the manner of implementation of State aid schemes.
15. Request for technical meeting = a document through which a potential beneficiary/beneficiary of State aid requests a meeting with the representatives of D.G.A.S.; the document must be signed by the applicant and must observe the form and content provided in **Form F-PO-23.22.07**.
16. Potential beneficiary of State aid = economic operator who wants technical information about the modality of financing of investments through the State aid schemes administered by the MPF and which is interest in principle in submitting an application for financing agreement.
17. Beneficiary of State aid = economic operator who obtained a financing agreement and requests a meeting with the representatives of D.G.A.S. in order to clarify certain technical aspects presented in the legislative acts in the field and in the complementary materials, related to the manner of implementation/monitoring of the investment project, of performance of the payment of State aid.
18. Deputy general director = the deputy general director that coordinates the service of assessment, selection, issuance of financing agreements/the service of implementation of projects and payments.
19. The single register of requests for technical meetings = contains information about the registration number with S.C.R.P.M.M.T. of the request, the registration number with the D.G.A.S., the applicant, the manner of settlement and the date of the technical meeting, according to **Form F-PO-23.22.08**.
20. Registration = receiving the registration number with the S.C.R.P.M.M.T. and D.G.A.S., through the single register of requests for information and/or the S.I.D.O.C.
21. Appointed person = the person who elaborates the response to the request and/or participates to the technical meeting.
22. Head of S.E.S.E.A.F. = the person holding the management position of the Service of Assessment, Selection, and Issuance of financing agreements.
23. Head of S.I.P.P. = the person holding the management position of the Service of Implementation of Projects and Payments.
24. Applicant = potential beneficiary/beneficiary of State aid.
25. Thematic = themes of discussion related to the provisions of the legislative acts which establish the State aid schemes administered by D.G.A.S. and the complementary documentation (Applicant’s Guide, Payment Manual, etc.)
26. Term of response to the request for technical meeting = 5 business days (1 day of transmission S.C.R.P.M.M.T. to D.G.A.S., 3 days for elaboration of D.G.A.S. response, 1 day for transmission of the response to the applicant).
27. Maximum term of award of the meeting = 15 business days.

4.2. Abbreviations

(1) M.P.F. = Ministry of Public Finance;

(2) D.G.A.S. = General Directorate of State Aid;

(3) S.C.R.P.M.M.T. = Service of Communication, Public Relations, Mass Media and Transparency;

(4) S.I.D.O.C. = Electronic System of Registration and Monitoring of Documents;

(5) S.E.S.E.A.F. = Service of Assessment, Selection and Issuance of Financing Agreements;

(6) S.I.P.P. = Service of Implementation of Projects and Payments;

(7) B.I.R.P.T. = Office of Information, Public Relations and Transparency.

1. **Description of the procedure**

The communication procedure details the following communication tools:

* Meetings with potential beneficiaries or beneficiaries of State aid;
* Communication by telephone or email with the beneficiaries of State aid;
* Electronic platform “Form of questions regarding State aid”.
  1. Receipt, registration, verification/analysis, distribution and monitoring of the settlement on time of the requests for technical meetings:

1. Form F-PO-23.22.07 is published on the website [www.mfinante.gov.ro](http://www.mfinante.gov.ro) in the section of State aid under a new section called “Request for technical meeting”;
2. The request form of the meeting shall be sent at [publicinfo@mfinante.gov.ro](mailto:publicinfo@mfinante.gov.ro);
3. S.C.R.P.M.M.T. registers the request in the Single register for information requests and verifies on the date of receipt thereof if it observes the following requirements, in accordance with **Form F-PO-23.22.07**:
4. Last name, first name and email where the response should be sent;
5. The request is addressed to D.G.A.S.;
6. The thematic proposed for the technical meeting by the applicant is related to the activity of D.G.A.S.;
7. The participants and their function;
8. Expressing the consent of all the participants to the meeting on the side of the enterprise with regard to the registration of the discussions in Form F-PO-23.22.07;
9. All the requests that do not comply with Form F-PO-23.22.07 shall be rejected;
10. After verification, S.C.R.P.M.M.T. sends the requests to D.G.A.S.
    1. Circuit and settlement of the requests for technical meetings:
11. The requests registered in the Single register for requests and sent to the S.C.R.P.M.M.T., shall be registered with the secretariat of D.G.A.S. in S.I.D.O.C.;
12. The general director shall distribute the request to the coordinating deputy general directors, as applicable, and they shall distribute it to the heads of S.E.S.E.A.F./S.I.P.P.;
13. The head of S.E.S.E.A.F./S.I.P.P. shall appoint the person to analyze and form the response to the request within 3 business days;
14. The response contains at least the following information: the location, the date, time of performance of the meeting, the obligation to confirm the participants/request for rescheduling on the email address of the general director of D.G.A.S. If the meeting is not granted the applicant shall be sent a motivated response;
15. For the requests sent in electronic form to other addresses within D.G.A.S. than [publicinfo@mfinante.gov.ro](mailto:publicinfo@mfinante.gov.ro) shall be formulated a response asking to resend the request at [publicinfo@mfinante.gov.ro](mailto:publicinfo@mfinante.gov.ro);
16. After the draft response is approved by the head of service of S.E.S.E.A.F./S.I.P.P., the coordinating deputy general directors, as applicable, and the general director, it shall be sent to S.C.R.P.M.M.T.;
17. S.C.R.P.M.M.T. sends the response to the applicant within the response term to the request for technical meeting.
    1. **Manner of performance of the technical meetings**
18. The technical meetings shall be held at the seat of D.G.A.S. on the date and time communicated through the letter of response to the request;
19. The meeting shall be attended by the general director, the coordinating deputy general director, as applicable, the head of service of S.E.S.E.A.F./S.I.P.P. and the persons from D.G.A.S. designated to participate;
20. During the technical meetings shall be discussed the thematic proposed by the applicant, in accordance with his/her request.
21. The discussions held during the technical meetings shall be audio recorded.
22. At the end of the meeting shall be elaborated the Sheet of the technical meeting, in accordance with **Form F-PO-23.22.09**, which shall be signed by the participants.
    1. **Archiving the documents that form the basis of the request/granting and performance of the technical meeting and archiving of the audio recordings**
23. The requests for technical meetings, the copy of the response and the documentation presented in the technical meeting, as applicable, shall be kept for a term of 5 years at D.G.A.S., after which they shall be sent to the specialty structure for archiving purposes.
24. Audio recordings shall be stored on electronic media (for example: hard disk, memory card, etc.) in digital format (for example: mp3, mp4, wma, etc.) and shall be kept for a period of 5 years at D.G.A.S., after which they shall be sent to the specialty structure for archiving purposes.
    1. **Telephone or email communication with the beneficiaries of State aid**

If in the stage of assessment of the requests for payment of State aid or during the monitoring period uncertainties are found with regard to the transmitted documentation, in order to reduce the analysis time, the representatives of D.G.A.S. involved in the documentation’s analysis may request additional information by phone or email. If, following these discussions, it is considered necessary to submit additional supporting documents, then the beneficiaries of State aid shall submit them at their own initiative to the General Registrar of the M.P.F.

* 1. **Electronic platform “Form of questions about State aid”**

Potential beneficiaries of State aid/beneficiaries of State aid may request information about the manner of implementation of the State aid schemes on the electronic platform “Form of questions about State aid”.

1. The requests for information regarding State aid can be formulated through the application made available on the website [www.mfinante.gov.ro](http://www.mfinante.gov.ro) “Form of questions for State aid assistance”;
2. The people appointed from B.I.R.P.T. verify if the requests for assistance received through the platform “Form of questions about State aid” are correctly formulated and correspond to the object of activity of the Directorate of State aid in order to be validated by being allocated the registration number and date;
3. After validation, the requests shall be automatically sent through the platform of “Form of questions about State aid” to the appointed personnel from the D.G.A.S. to be competently settled;
4. The person appointed from D.G.A.S. shall elaborate the response, submit it for approval to the management of D.G.A.S., after which it shall send it to the applicant through the platform of “Form of questions about State aid”;
5. During the time interval between the transmission of the question by the applicant and the validation thereof by the B.I.R.P.T., the application shall display the requests “In progress at Communication” and after validation until the transmission of the response the application shall display the requests “In progress at State aid”;
6. After the response is transmitted, the requests are displayed in the application under the section of “Response sent”.

6.0. **Responsibilities**

6.1. **The general director of D.G.A.S.:**

1. Analyzes the content of the requests and decides on granting/not granting the meeting;
2. Distributes the requests to the Coordinating Deputy General Director, according to the thematic proposed by the applicant;
3. Signs the responses to the applicants elaborated by the subordinated personnel, if the meeting is not granted;
4. Participates to the meeting.

6.2. **The coordinating deputy general director**

1. Distributes the requests to the head of service of S.E.S.E.A.F./S.I.P.P. and endorses the response to the request;
2. Participates to the meeting.

6.3. **The Head of Service**

1. Appoints the person from S.E.S.E.A.F./S.I.P.P., as applicable, to elaborate the response to the request;
2. Signs the response to the request;
3. Participates to the meeting.

6.4. **The appointed person**

1. Elaborates the response to the request and/or participates to the meeting.

6.5. **The representative of S.C.R.P.M.M.T.**

(1) Is responsible for the registration and distribution of the requests to D.G.A.S.;

(2) Sends by email the responses formulated by D.G.A.S.

6.6. **The Secretariat of D.G.A.S.**

(1) Is responsible for the registration of the entries and exits of the requests through S.I.D.O.C.

**7.0. Forms**

**Form F-PO-23.22.07** – Request for technical meeting;

**Form F-PO-23.22.08** – Single register of requests for technical meetings

**Form F-PO-23.22.09** – Sheet of the technical meeting

**8.0. Annexes**

Process diagram

**Form F-PO-23.22.07**

Registration date ………………………

Registration number …………………

**REQUEST FOR TECHNICAL MEETING**

We, the undersigned: (enterprise denomination, …………………………..), address of the registered office ……………………., sole registration code………………………………),

Legally represented by Mr./Mrs. …………………………………………., in his/her capacity as………………………………..,

Email to which S.C.R.P.M.M.T. shall communicate the response to the request: ……………………………………

Hereby request, on the date of……………………at:…………………………., a technical meeting at D.G.A.S. and we agree with the audio recording of the discussions that shall be held during said meeting.

1. The company is in one of the following situations:

* intends to submit an Application for financing agreement;
* has received a Financing Agreement, is in the period of implementation of the investment project and intends to submit an application for plan amendment;
* has received a Financing Agreement or intends to submit/has submitted a request for payment for the transfer of the amount corresponding to the approved State aid;
* has received a Financing Agreement, has completed the investment project and is in the period of monitoring thereof.

Proposed thematic: (shall be briefly presented) ………………………………………………………………………………………

1. ……………………………………………………………………………………………………………………………………………………..
2. ……………………………………………………………………………………………………………………………………………………..
3. Participants and their position:

………………………………………………………………………….

………………………………………………………………………….

Name: ………………

Position: …………………….

Signature: …………………..

Date: …………………………….

**Form F-PO-23.22.08**

**MODEL OF SINGLE REGISTER OF REQUESTS FOR TECHNICAL MEETINGS**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| No. | Registration no. with S.C.R.P.M.M.T. | Registration no. with D.G.A.S. | Identification data of the applicant | Manner of settlement | Date/time of the technical meeting |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

**Form F-PO-23.22.09**

**Sheet of the technical meeting organized on …………………….., according to request no…………/……………**

|  |
| --- |
| **Ministry of Public Finance – General Directorate of State Aid**  **Duration of the meeting:**  **Duration: …………………. h** |
| **Participants:**   1. **From SC ………………….**  |  |  |  |  | | --- | --- | --- | --- | | **No.** | **Last name, first name** | **Position** | **Signature** | |  |  |  |  | |  |  |  |  |  1. **From DGAS**  |  |  |  |  | | --- | --- | --- | --- | | **No.** | **Last name, first name** | **Position** | **Signature** | |  |  |  |  | |  |  |  |  |   THEMATIC discussed, according to the request of S.C. ………………………  1 …………………………………………………………………  2 ………………………………………………………………….  3 …………………………………………………………………  **Note:**  **The discussions held during the technical meeting were audio recorded** |

**Annex A – Process Diagram**

**Process diagram regarding communication actions with economic operators, in the implementation of the State aid schemes managed by DGAS**

The request for technical meeting, registered in the Single register of requests and transmitted by S.C.R.P.M.M.T., shall be registered with the secretariat of D.G.A.S. in S.I.D.O.C. and shall be distributed as follows: general director → coordinating deputy general director → head of department → appointed person

↓

The appointed person shall analyze and formulate the response to the Request for technical meeting within 3 business days, shall submit it for endorsement to the head of department and the coordinating deputy general director and for approval to the general director

↓

The response to the Request for technical meeting shall be sent to S.C.R.P.M.M.T.

↓

S.C.R.P.M.M.T. sends the response to the applicant within the term of response to the Request for technical meeting, being possible one of the following situations

The response to the request for technical meeting contains at least the following information: the location, date, time of performance of the meeting, the obligation to confirm/request a rescheduling, at the email address of the general director of DGAS and of the participants

For the requests for technical meeting sent in electronic form at other addresses than [petitiimfp@mfinante.gov.ro](mailto:petitiimfp@mfinante.gov.ro) shall be formulated a response requesting transmission at [petitiimfp@mfinante.gov.ro](mailto:petitiimfp@mfinante.gov.ro)

If the meeting is not granted, the applicant shall be sent a motivated response