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MINISTRY OF 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 II, April 2024, Revision 4

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1.0 Purpose

- 1.1 The purpose of this procedure is to establish the manner of communication of the representatives of D.G.A.S. with the potential beneficiaries/beneficiaries of State aid, in the implementation of State aid schemes.

2.0 Scope

The procedure is applicable to the personnel of D.G.A.S..

3.0 Reference documents

3.1 Primary legislation

- (1) Constitution of Romania, as republished;
- (2) Government Emergency Ordinance no. 57/2019 on the Administrative Code, as subsequently amended and supplemented;
- (3) Law no. 544/2001 on preventing and combating human trafficking, as subsequently amended and supplemented;
- (4) Law no. 27/2002 on State reserves, as republished, as subsequently amended and supplemented;

3.2 Secondary legislation

- (1) Government Decision no. 807/2014 establishing certain State aid schemes to support investments with major impact in the economy, as subsequently amended and supplemented;
- (2) Government Decision no. 332/2014 establishing a State aid scheme to support investments promoting regional development through the creation of jobs, as subsequently amended and supplemented;
- (3) Government Decision no. 300/2024 with the aim of regional development by stimulating investments.

4.0 Definitions and abbreviations

4.1 Definitions:

- (1) communication = actions undertaken by the representatives of D.G.A.S. to inform the potential beneficiaries/beneficiaries of State aid with regard to the manner of implementation of the State aid schemes.
- (2) Technical meeting convening = action taken by the representatives of D.G.A.S. to organize a meeting with State-aid beneficiaries who submitted an application for payment of State aid, in order to clarify certain technical aspects.
- (3) technical meeting request = a document through which a potential beneficiary/a beneficiary of State aid requests a meeting at the seat of D.G.A.S. or by video conference/audio conference, 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**.
- (4) potential beneficiary of State aid = an economic operator who wants technical information about the manner of financing of investments through the State aid schemes managed by the MPF and who is interested in principle to submit an application for financing agreement or who has submitted an application for financing agreement.
- (5) beneficiary of State aid = an economic operator who has obtained a financing agreement and who requests a meeting with representatives of D.G.A.S. in order to clarify certain technical aspects presented in the legislative acts of the field and in the supplementary materials and

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related to the manner of implementation/monitoring of the investment project, of performance of the payment of State aid.

- (6) Deputy general director = deputy general director who coordinates the department of assessment, selection, issuance of financing agreements/the department of implementation of projects and payments.
- (7) Single register of technical meeting requests = contains information with regard to the registration number with the D.G.A.S., the applicant, the manner of settlement and the date of the technical meeting, in accordance with **Form F-PO-23.22.08**.
- (8) Registration = receipt of the registration number from the D.G.A.S. through the single register of information requests and/or S.I.D.O.C.
- (9) Appointed person = the person who issues the response to the application and/or participates to the technical meeting.
- (10) Head of S.A.P.C.M. = person who holds the management position of the Department of Analysis, Programming and Methodological Coordination.
- (11) Head of S.E.S.E.A.F. = the person who holds the management position of the Department of assessment, selection, and issuance of financing agreements.
- (12) Head of S.I.P.P. = the person who holds the management position of the Department of implementation of projects and payments.
- (13) Applicant = possible beneficiary/beneficiary of the State aid.
- (14) Thematic = topics of discussion related to the provisions of the legislative acts which establish the State aid schemes managed by D.G.A.S. and the supplementary documentation (Applicant's Guide, Payment Manual, etc.)
- (15) Term of reply at the request for the technical meeting = 5 business days (3 days for elaboration of the response of D.G.A.S., 1 day for transmission of the response to the applicant).
- (16) Maximum term of award of the meeting = 15 business days.
- (17) Video conference/audio conference = remote communication procedure organized by means of a software application, through which the applicant interacts by video and/or audio means with the representatives of D.G.A.S.

4.2. Abbreviations

- (1) M.F. = Ministry of Finance;
- (2) D.G.A.S. = General Directorate of State Aid;
- (3) S.I.D.O.C. = Electronic system of document registration and tracking;
- (4) S.E.S.E.A.F. = Department of Assessment, Selection, and Issuance of Financing Agreements;
- (5) S.I.P.P. = Department of Implementation of Projects and Payments;
- (6) S.A.P.C.M. = Department of Analysis, Programming and Methodological Coordination.

5.0 Description of the procedure

The communication procedure details the following communication instruments:

- technical meetings/convening notices/video conferences/audio conferences with potential beneficiaries or beneficiaries of State aid;
- communication by telephone with the beneficiaries of State aid;

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- communication by email with the beneficiaries/potential beneficiaries of State aid at the address solicitare.intalniretehnica@mfinante.gov.ro;
- the electronic platform “State aid assistance form”.

5.1 Receipt, registration, verification/analysis, distribution and monitoring the settlement on time of the requests for technical meetings/video conferences/audio conferences:

- (1) Form F-PO-23.22.07 is published on the website www.mfinante.gov.ro in the section of State aid under a new section called “Technical meeting request”;
- (2) The meeting request form shall be sent at solicitare.intalniretehnica@mfinante.gov.ro;
- (3) S.A.P.C.M. registers the request in the Single register of information requests and verifies on the date of receipt if it observes the following requirements, in accordance with **Form F-PO-23.22.07**;
 - 1 the last name, first name and e-mail address the response should be sent to;
 - 2 the request is addressed to D.G.A.S.;
 - 3 the thematic proposed for the technical meeting by the applicant is related to the activity of D.G.A.S.;
 - 4 the participants and their positions;
 - 5 the expression of consent of all participants to the meeting from the side of the enterprise with regard to the recording of discussions in Form F-PO-23.22.07.
- (4) All requests which are not compliant with Form F-PO-23.22.07 shall be dismissed;
- (5) After verification, S.A.P.C.M. sends the requests to the Secretariat of D.G.A.S. to be registered in S.I.D.O.C.

5.2 Circuit and settlement of the requests for technical meetings/video conferences/audio conferences:

- (1) The requests registered in the Single register of information requests shall be registered at the secretariat of D.G.A.S. in S.I.D.O.C.;
- (2) The general director distributes the request to the deputy general directors, as applicable, and they send them in their turn to the heads of department of S.E.S.E.A.F./S.I.P.P.;
- (3) The head of department of S.E.S.E.A.F./S.I.P.P. appoints the person who analyzes and formulates the response to the request within 3 business days;
- (4) The response contains at least the following information: the place, date, time of the meeting, the obligation to confirm the participants/to request a rescheduling at the e-mail address of the general director of D.G.A.S. If the meeting is not granted the applicant shall be sent a motivated response;
- (5) For the requests sent in electronic form at different addresses in the D.G.A.S. than solicitare.intalniretehnica@mfinante.gov.ro, shall be formulated a response directing the retransmission of the request at solicitare.intalniretehnica@mfinante.gov.ro;
- (6) After the draft response is approved by the head of department of S.E.S.E.A.F./S.I.P.P., the deputy general directors, as applicable, and the general director, it shall be sent to the applicant within the term of response to the technical meeting request;

5.3. Circuit of documents related to the convening of beneficiaries to technical meetings

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- (1) The convening of the beneficiaries shall be made on the basis of a letter elaborated based on Form F-PO-23.22.10 by the responsible who evaluates the payment request of State aid registered in the Single register of information shall be registered with the secretariat of D.G.A.S. in S.I.D.O.C.;
- (2) The letter contains at least the following information: the place, date, time of the meeting, the obligation to confirm the participants from the beneficiary's side/to request a rescheduling at the e-mail address of the general director of D.G.A.S.
- (3) After the notice is approved by the head of department of S.I.P.P., the deputy general director and the general director, it shall be registered with the secretariat of D.G.A.S. in S.I.D.O.C. and shall be sent to the beneficiary on paper and/or by email.

5.4. Manner of performance of the technical meetings/video conference/audio conference

- (1) The technical meetings shall be held at the seat of D.G.A.S., on the date and time communicated through the response letter/convening notice or by means of a software application with ensures communication through video conference/audio conference;
- (2) The meeting shall be attended by the general director, the deputy general director, as applicable, the head of department of S.E.S.E.A.F./S.I.P.P. and the people from D.G.A.S. appointed to participate;
- (3) At the meeting held at the headquarters of the D.G.A.S., the applicant will present, as a document certifying the identity of the holder: identity card, passport or residence permit, within the validity period.
- (4) During the technical meeting/video conference/audio conference shall be discussed the thematic proposed by the applicant, in accordance with the request thereof.
- (5) The discussions held during the technical meetings/video conference/audio conference shall be audio recorded.
- (6) At the end of the technical meeting held at the seat of D.G.A.S. 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.

5.5 Archiving of the documents which form the basis of the request/granting and holding of the technical meeting/convening notice/video conference/audio conference and archiving of the audio recordings

- (1) The requests for technical meetings, the copy of the response and the documentation presented during the technical meeting, as applicable, shall be kept for a term of 5 years with D.G.A.S., after which they shall be sent to the specialty structure to be archived.
- (2) The 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 with D.G.A.S., after which they shall be sent to the specialty structure to be archived.

5.6. Communication by telephone or e-mail 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, there are uncertainties with regard to the documentation that was sent, for the purpose of reducing the duration of the analysis the representatives of D.G.A.S involved in the analysis of the documentation may request additional information by telephone or e-mail. If it considered after these discussions that it is necessary to submit additional supporting documents, the beneficiaries of State aid shall submit them at their own initiative with the General Registrar of the M.F.

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5.7. The electronic platform “State aid assistance form”

- (1) The potential beneficiaries of State aid/the beneficiaries of State aid may request information about the manner of implementation of the State aid schemes on the electronic platform “State aid assistance form”.
- (2) The requests of information regarding the State aid schemes can be formulated through the application made available on the website www.mfinante.gov.ro „State aid assistance form”, to S.A.P.C.M.
- (3) The people appointed from the S.A.P.C.M. verify if the requests of assistance received through the platform “State aid assistance form” are correctly formulated and correspond to the object of activity of the directorate of State aid in order to be validated.
- (4) After validation, the requests shall be sent through the platform “State aid assistance form” to the secretariat of D.G.A.S.
- (5) The secretariat of D.G.A.S. registers the requests sent through the platform “State aid assistance form” in S.I.D.O.C. and distributes them to the Deputy General Director:
- (6) The Deputy General Director distributes the requests to the head of S.A.P.C.M..
- (7) The head of S.A.P.C.M. distributes the requests to the person authorized from the department.
- (8) The person authorized within S.A.P.C.M. shall elaborate the response, shall submit it for approval to the management of D.G.A.S. and then shall send it to the applicant through the platform “State aid assistance form”;
- (9) During the time interval between the transmission of the question to the applicant and the validation thereof in the SAPCM the application shall display the requests “Validation” and after validation and until the transmission of the response, the application shall display the requests “In progress”.
- (10) After the response is transmitted the requests shall be displayed in the application in the section “Response sent”.

6.0 Responsibilities

6.1 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 Deputy general director, according to the thematic proposed by the applicant;
- (3) Signs the responses to the applicants/the convening notices elaborated by the personnel subordinated thereto if the meeting is not granted;
- (4) Participates to the meeting.

6.2 The Deputy General Director

- (1) Distributes the requests to the head of department of S.E.S.E.A.F./S.I.P.P. and endorses the response to the request/convening notice;
- (2) Participates to the meeting.

6.3 Head of Department

- (1) Appoints the person from the S.E.S.E.A.F./S.I.P.P./S.A.P.C.M. department, as applicable, to elaborate the response to the request;
- (2) Signs the response to the request/convening notice;

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(3) Participates to the meeting.

6.4 The appointed person

(1) Participates to the technical meeting

(2) Elaborates the response to the technical request/convening notice/video conference/audio conference and/or participates to the technical meeting.

6.5 The secretariat within 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 - Technical meeting request;

Form F-PO-23.22.08 - Single register of technical meeting requests

Form F-PO-23.22.09 - Technical meeting sheet

Form F-PO-23.22.10 - Convening notice of the technical meeting

8.0 Annexes:

Annex 1 - Process diagram for technical meeting request

Annex 2 - Process diagram for technical meeting convening

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Form F-PO-23.22.07

Date of registration

Registration number

TECHNICAL MEETING REQUEST

We, the undersigned: (enterprise name,....., address of the registered office....., sole registration code.....), legally represented by Mr./Mrs....., acting as, email for D.G.A.S. to send the response to the request:....., hereby request on....., at:.....:

- a technical meeting at the seat of D.G.A.S. and we agree with the audio recording of the discussions to be held during this meeting;
- video conference/audio conference and we agree with the audio recording of the discussions to be held during this meeting.

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

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

2. Proposed thematic: (shall be presented in brief)

- a)
- b)

3. Participants and their positions:

- a).....
- b).....
- c).....
- d).....

Name:.....

Position:.....

Signature.....

Date:.....

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Form F-PO-23.22.08

MODEL OF SINGLE REGISTER OF TECHNICAL MEETING REQUESTS

Cur ren t No.	Registration no. D.G.A.S.	Identification details of the applicant	Manner of settlement	Date/time of the technical meeting

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Form F-PO-23.22.09

Sheet of the technical meeting organized on, in accordance with request no...../.....

Ministry of Finance - General Directorate of State Aid Date of the meeting: Duration: h			
Participants: From S.C.			
No	First, last name	Position	Signature
.			
2. From D.G.A.S.			
No	First, last name	Position	Signature
.			
THEMATIC discussed, in accordance with the request of S.C. 1.....			

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2.....
3.....

Note:
The discussions held during the technical meeting were audio recorded

Form F-PO-23.22.10

Date of registration

Registration number

TECHNICAL MEETING CONVENING NOTICE

We, the undersigned: (denomination of the enterprise....., address of the registered office....., sole registration code.....), legally represented by Mr./Mrs....., having the capacity of, email....., which submitted to the Registrar Office of the Ministry of Finance/on-line the Payment Request no....., of, is convened by D.G.A.S. on....., time/times:....., to participate to:

a technical meeting at the seat of D.G.A.S., agreeing with the audio recording of the discussions to be held during this meeting;
or

video conference/audio conference and we agree with the audio recording of the discussions to be held during this meeting.
for clarification of certain important aspects presented in the payment request.

1. Proposed thematic: (shall be presented in brief)

- a)
- b)

2. Please confirm the participation by email or, if the meeting is not possible on the established date, propose a different date.

3. Please mention the persons that shall participate and their position:

- 1)
- 2)

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3)

Name:.....

Position:.....

Signature:.....

Date:.....