

Federal Ministry of Education and Research
Announcement within the framework of the Federal Government's Strategy for the
Internationalization of Education, Science and Research
Regulations Governing the Bestowal of the German-African Innovation Incentive Award
of 27 September 2018

1 Aim and purpose of funding, legal basis

1.1 Aim and purpose of funding

The interest of German institutions in collaborating with African partners in research and innovation is steadily growing as African countries increasingly realize the importance of technological and social innovations as drivers of development in modern knowledge societies. The improved commercialization of research results and a better framework for entrepreneurial initiative provide the basis for employment and participatory economic development in Africa. This helps to create more self-supporting incomes in African countries themselves and to counteract the long-term brain drain.

The Federal Ministry of Education and Research (BMBF) has defined cooperation with developing and emerging countries as a strategic area of action in its "International Cooperation Action Plan". The BMBF Africa Strategy provides a coherent framework for cooperation with partner countries in Africa – a framework within which a large number of initiatives are implemented to strengthen science and innovation systems in African partner countries. The German-African Innovation Incentive Award is part of these activities. Following the first announcement in September 2016 and the bestowal of the Award in May 2018, funding will be continued under the present announcement.

If numerous eligible applications are submitted, several award winners will be honoured.

The Award encourages African countries' own initiative to translate research results into innovative solutions which will benefit the population in Africa. It is aimed at promoting research activities that are application-oriented and sustainable and address the needs of society. The underlying concept of innovation includes not only technological but also social innovation, and it involves society as a central player. The Award enables German researchers to collaborate with African partners. It also raises the profile of the BMBF's extensive range of cooperation initiatives with African partners.

The Award adds a structural element to individual funding: As well as honouring previous research achievements it supports the implementation of a follow-up project which has an explicit orientation to applications and is intended to strengthen local or regional innovative capacity in an African partner country. Where possible, a funded project should not only deliver research results but also create the basis for establishing a lasting innovation structure (e.g. a start-up, an innovation incubator, a small enterprise oriented to research) or provide a realistic perspective for planning and establishing such a structure.

The Award reflects the principles of the BMBF Africa Strategy: the promotion of independent initiatives in Africa, cooperation on the basis of partnership, and the creation of added value on both sides.

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 BMBF's regulations governing applications for expenditure-based grants (AZA) and/or cost-based grants (AZK). 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, state aid will be granted on the basis of Article 25 paras b and c 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 156/1 of 20 June 2017). 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 (cf. Annex with regard to the requirements of state aid legislation applying to these funding regulations).

2 Object of funding

The Innovation Award will be presented to researchers in African countries and their German partners for proven outstanding research with the potential for application in combination with a utilization or commercialization plan. The plan should already provide perspectives for the lasting consolidation of cooperation between the partners and if possible for medium and long-term development of structures at the location in Africa. The Award will take the form of project funding to support the transfer of convincing research results already available into utilization-oriented solutions, product-oriented commercialization and the development of structures.

The Award is oriented to the strategic cooperation priorities of the BMBF Africa Strategy. Funding will be provided for collaborative projects which involve international cooperation and preferably deal with one or more of the following priority areas in line with the funding purpose described above:

- Environmental sciences
- Health research
- Bioeconomy
- Societal development and social sciences (in particular socially responsible business practices, social innovations, sustainability concepts)
- Resource management (in particular exploitation of locally available resources, resource efficiency and sustainability)
- Information and communication technologies

The project plan is expected to include joint work phases in the African partner country. It should, as a rule, also include at least one joint work phase by the partners in Germany.

3 Recipients of funding

Applications may be submitted by universities, non-university research institutions and other institutions contributing to research as well as commercial companies. Applicants are required to have a plant or branch (company) or another entity to act as funding recipient (universities, non-university research institutions and other institutions contributing to research) in Germany at the time of payment of the grant.

Under the present funding regulations, the recipient of funding will be allowed to transfer part of the grant to another recipient (secondary recipient) in accordance with No. 12 of the administrative regulations pertaining to Section 44 of the Federal Budget Code (BHO). The recipient of funding will not be allowed to transfer the grant if the eligible project-related costs are used as the basis of calculation of the grant (in accordance with No. 13a.2 of the administrative regulations pertaining to Section 44 of the Federal Budget Code (BHO)).

Small and medium-sized enterprises or SMEs within the meaning of these funding regulations 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):

<http://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 Commission's GBER in its written application for funding.

Research institutions which receive joint basic funding from the Federal Government and/or the *Länder* can only be granted project funding supplementary to their basic 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 of 27 June 2014 (OJ C 198 of 27 June 2014 p.1 ff); in particular Section 2.

4 Special prerequisites for funding

The Award will be presented to a researcher at an African institution. In a first step, the funds are paid to the researcher's German partner at an institution which is eligible for funding as set out in 3 above, and must be used in accordance with 4.2 below.

4.1 Nomination and application procedure for the Award

There are two ways for candidates to become involved in the selection procedure:

a) Nomination

A representative of a German university/research institution or a company proposes a researcher at an African institution for the Award. In making the nomination, the German institution declares its readiness to collaborate with the African partners in a joint project. A project plan is submitted which has been developed and signed by both sides.

b) Application

African candidates submit their own applications for the Award and include a German cooperation partner which is eligible for funding under 3 above in the subsequent joint project. A project plan is submitted which has been developed and signed by both sides.

4.2 Grant and use of funds

The formal prerequisite for an Award is evidence of the research undertaken (see 7.2.1, in particular the research report) and submission of a plan for its further development including a project outline and a financial plan for using the award money.

The project outline must be submitted by the German applicant in cooperation with at least one partner based in an African country. Further partners may participate in the research project if this benefits the project and further partners contribute their own funds. The award money will be paid to the German partner institution in the form of a grant. In participating in the project, the German institution declares its willingness to administer the award money and forward the envisaged funds to the African recipients. The foreign partners will conclude a transfer contract with the German project coordinator in accordance with No. 12 of the administrative regulations pertaining to Section 44 of the Federal Budget Code (BHO) and in accordance with BMBF leaflet 0375 (General Conditions for Agreements on the Provision of Funds for Projects in Foreign Institutions). At least 50% of the grant – excluding the flat rate per project – will be for use by the African partners. The use of funds by the German partners must verifiably support the utilization plan (problem solving, commercial and/or societal use or development of structures at the location in Africa).

The terms of cooperation between the partners in a project must be set out in a written cooperation 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. Details on funding prerequisites are contained in the information leaflet for applicants/funding recipients on cooperation between partners in collaborative projects (*Merkblatt für Antragsteller/Zuwendungsempfänger zur Zusammenarbeit der Partner von Verbundprojekten*, see BMBF leaflet No. 0110)¹.

5 Type, scope and rates of funding

Funding governed by these regulations will be awarded in the form of non-repayable grants. As a rule, project grants of a maximum 150,000 euros (plus a flat rate per project where appropriate, see 5.2 below) are provided for a maximum period of 24 months. A longer project period is possible in exceptional cases where reasons are given.

¹ https://foerderportal.bund.de/easy/easy_index.php?auswahl=easy_formulare; header BMBF under "Allgemeine Vordrucke und Vorlagen für Berichte".

Grants for commercial companies and for projects of research institutions which fall into the category of economic activities² are 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 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 the Fraunhofer-Gesellschaft (FhG), 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 (public and private) and teaching hospitals (irrespective of the legal form), a flat-rate grant amounting to 20% of total expenditure will be awarded in addition to the eligible expenditure.

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

The following expenditures/costs will be eligible for funding:

a) Staff for conducting scientific activities or research

Project-related expenditure/costs incurred for student assistants and/or research staff can be funded to an appropriately justified extent.

b) Project-related resources and equipment

Funding for project-related resources (such as consumables, equipment, transport, contracts, workshop organization) can be provided to a limited extent.

c) Travel and stays by German and foreign researchers and experts

Funding will cover project-related expenditure/costs of travel and stays by German and foreign researchers and experts. Visits to third countries for the purpose of establishing and expanding bilateral and multilateral networks to transfer the innovative solutions to further locations are also eligible for funding in well-founded individual cases.

The determination of the respective eligible costs must take account of the GBER (see Annex). As a rule, no funding will be provided to cover the cost of the participating institutions' normal basic equipment in whole or in part.

6 Other terms and conditions for funding

The *Nebenbestimmungen für Zuwendungen auf Kostenbasis des Bundesministeriums für Bildung und Forschung an gewerbliche Unternehmen für Forschungs- und Entwicklungsvorhaben* (NKBF 2017) (Auxiliary Terms and Conditions for Funds Provided by the Federal Ministry of Education and Research 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.

² For the definition of economic activity, see no. 17 of the R&D&I Community Framework.

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).

For the purpose of conducting progress reviews within the meaning of administrative regulation (VV) 11a pertaining to section 44 of the Federal Budget Code (BHO), funding recipients are required to provide the data necessary for the progress review to the BMBF or the institutions charged with such tasks without delay. The information will be used exclusively for the purposes of any supporting research and subsequent evaluation; it will be treated with confidentiality and published in an anonymized form, making it impossible to trace it back to individual persons or organizations.

Funding recipients are expected to ensure open 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 must 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 agency, application documents, other documents and use of the electronic application system

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

DLR Project Management Agency (DLR-PT)
European and International Cooperation
Heinrich-Konen-Strasse 1
53227 Bonn, Germany
Internet: <http://www.internationales-buero.de>

Contact:

Scientific questions:

Birgit Wirsing
Phone: +49 228 38 21-2066
Fax: +49 228 38 21-1411
E-mail: birgit.wirsing@dlr.de

Administrative issues:

Martin Fischer
Phone: +49 228 38 21-1813
Fax: +49 228 38 21-1411
E-mail: m.fischer@dlr.de

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

Applicants are recommended to contact the project management agency for advice on applications. The agency will provide further information and details.

7.2 Two-phase procedure

The application procedure takes place in two phases.

The 'PT-Outline' electronic tool must be used for making nominations or submitting applications and for drafting project outlines. The 'easy-online' electronic application system must be used for drafting formal proposals.

7.2.1 Submission and selection of project outlines (including accompanying documents)

In the first phase, the following must be submitted to the project management agency **by 15 January 2019:**

- An informal cover letter with the nomination or application for the Award
- A short research report on previous research with relevance to the Award
- A project outline for the planned follow-up project.

The cover letter, research report and project outline must be submitted in English in electronic and/or written form using the PT-Outline online tool (<https://secure.pt-dlr.de/ptoutline/app/af018gaiiaz4>).

The deadline for submission is not a cut-off deadline. However, it may not be possible to consider project outlines received after the above date.

The research report should not exceed four pages. It must provide information about

- I. The content of the completed project or status of the research delivered
- II. The role of the nominated person in the research activities
- III. The team and the environment of the delivered work, including institutional framework, partnerships achieved or sought, the budget framework
- IV. The project duration or time frame of the research delivered
- V. The potential to exploit the research results, any hurdles to and desiderata for further exploitation-oriented research.

The project outline should not exceed ten pages. The outline should include the following aspects of the project:

- I. Information about the African award winner and the German partner who will receive the grant as well as about further German and foreign project partners as appropriate
- II. A meaningful summary (aims, research priorities, connection to previous research including reference to the research report)
- III. The scientific framework of the project
 - a. Planned measures to implement the objectives of the funding measure set out in 2 above
 - b. Description of the scientific objective of the project
 - c. Information on the state of scientific and technological development
- IV. International cooperation within the project
 - a. Added value of international cooperation
 - b. Contributions of the international partners
 - c. Experience of the participating partners in international cooperation, previous collaborations
- V. Sustainability of the measure/exploitation plan
 - a. Expected scientific results
 - b. Possibilities for commercial exploitation and/or societal use of the results, contributions to the potential development of structures
 - c. Consolidation of the cooperation with the partners beyond the project funding period, possible plans for cooperation in follow-up projects
 - d. Plans for expansion of cooperation to other institutions and networks
 - e. Transfer of the research results to teaching
- VI. Description of the planned steps of the cooperation project
- VII. Provisional estimate of costs and expenditure

The project outlines received will be evaluated on the basis of the following criteria:

- I. Fulfilment of the formal prerequisites for funding
- II. Compliance with the aims of this funding announcement (see section 1 above) and with the object of funding described in section 2
- III. Scientific criteria
 - a. Scientific quality and originality of the project
 - b. Relevance of the topic to BMBF programmes
 - c. Expertise of the applicant and the German and international partners involved

- d. Plausibility of developing previous research further in the new, transfer-oriented project
 - e. Scientific benefits and prospects for commercialization of the expected results (long-term innovation goals)
 - f. Relevance of research exploitation to societal needs and contribution to local economic and social development
 - g. Sustainability of the impact including the potential for innovation-oriented development of structures (e.g. prior to business start-ups)
- IV. Criteria concerning international cooperation
- a. Intensification of existing German-African cooperative relations including the prospects of intensification beyond the funding period
 - b. Experience of the applicant in international cooperation
 - c. Creation of lasting bilateral/international partnerships
 - d. Quality of the cooperation and added value for partner institutions
 - e. Further development of scientific capacity
- V. Plausibility and feasibility of the project (financing; milestones; time frame)

Suitable project outlines will be selected for funding on the basis of the above criteria and evaluation. Applicants will be informed in writing of the result of the selection process.

The project outlines and any other documents submitted in this phase of the procedure will not be returned.

7.2.2 Submission of formal proposals and decision-making procedure

In the second phase of the procedure, the applicants whose project outlines have been successful in the evaluation will be invited to submit full formal proposals. When several German partners are involved (collaborative project), the formal proposals of the individual partners must be submitted in consultation with the envisaged coordinator.

A funding proposal is only complete if at least the requirements of Article 6(2) GBER (cf. Annex) are fulfilled.

It is imperative that formal proposals include a (sub)project description and an exploitation plan in German. These should not exceed 12 pages.

Formal proposals must include:

- I. A detailed (sub)project description
- II. A detailed work plan and time schedule
 - a. Feasibility of the work plan
 - b. Plausibility of the time schedule
- III. Detailed information about the financing of the project

- a. Appropriateness and need for the requested amount of funding
- b. Guarantee of overall financing during the entire project period

The work and financial plans will be evaluated in accordance with the criteria listed under 7.2.2 (II and III).

The formal proposals must observe and fulfil any thematic or funding requirements and/or the evaluators' recommendations for the implementation of the project.

Formal proposals must be drafted using the 'easy-online' electronic application system: <https://foerderportal.bund.de/easyonline/>.

Guidelines, information for applicants and the auxiliary terms and conditions for the award of grants are available at

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

The BMBF reserves the right to seek advice from experts before making the final decision on funding.

A legal claim to funding cannot be derived from the submission of a formal proposal. Applicants have no legal claim to the return of their formal proposals. A funding decision will be taken after a final review based on the above criteria and evaluation.

7.3 Provisions to be observed

The approval and payment of and accounting for funds as well as proof and examination of proper use and, if necessary, revocation of the grant and reclaiming of the funds granted are governed by sections 23 and 44 of the Federal Budget Code (BHO) and the related general administrative regulations as well as sections 48 to 49a of the Administrative Procedure Act (VwVfG) unless deviation is allowed from the general 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 Duration

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 modification of the state aid provisions, the duration of these funding regulations will be extended accordingly, though not beyond 31 December 2025. 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 2025.

Bonn, 8 October 2018

Federal Ministry of Education and Research
P. Webers

Annex: Requirements of state aid legislation

Annex

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 and 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 the requirements of state aid legislation. Thus, applicants must, upon application or subsequently, provide information and documentation requested by the funding provider as evidence of creditworthiness 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 GBER. State aid is considered to have an incentive effect if the beneficiary has submitted a written application for the aid in a 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 size 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 funding 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 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.

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 amount of 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.

- Funding in accordance with Article 25 GBER -

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

- Industrial research
- Experimental development

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

For the purpose of classifying research work as industrial research and experimental development, please refer to the relevant information in no. 75 and footnote no. 2 of the R&D&I Community Framework.

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

- by 10 percentage points for medium-sized enterprises
- by 20 percentage points for small enterprises
- by 15 percentage points if one of the following conditions is fulfilled:
 - 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 organisations, where the latter bear at least 10% of the eligible costs and have the right to publish their own research results;
 - the results of the project are widely disseminated through conferences, publication, open access repositories, or free or open source software.

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 in the following. 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 GBER.