**Question:**

We would like to ask the Commission to confirm or to abrogate the correctness of our understanding:

Our understanding for the precise implementation of Regulation 651/2014 is that all requirements (condition) should be included in the aid schemes’ texts, as well as it is obligatory to include a mechanism to check afterwards whether all the provisions of the GBER are respected, in order to be considered that it is compliant with the GBER.

As an exception, in case it is “obvious” that certain general aid conditions (for example Art.1, para 3 d) are irrelevant for the scheme, is it possible not to be explicitly included in the text of the measure with no risk the scheme to be admitted by the Commission that it is not in full compliance with the GBER?

For example, if we have a simple scheme for training aid. Is it mandatory to put as an explicit requirement that has to be checked that this scheme will not provide aid to facilitate the closure of uncompetitive coal mines, as covered by Council Decision No 2010/787, since it is “obvious” that it covers only eligible costs for straining and not to **facilitate the closure of uncompetitive coal mines?**

**Reply:**

According to Article 3 of the GBER, aid schemes are compatible with the internal market and exempted from the notification requirement if the aid fulfils all the conditions laid down in Chapter I of the GBER, as well as the specific conditions for the relevant category of aid laid down in Chapter III of the GBER. Therefore, in your aid scheme, it should explicitly be stated that the aid shall be granted in compliance with all the conditions set out in Chapter I. However, this does not mean that every single condition of Chapter I of the GBER must be separately cited – a general reference can be made to all the conditions regarding the scope of GBER. We would recommend however that the exclusions that are not self-evident from the design of the measure (e.g. exclusion of companies in difficulty) be expressly mentioned in order to ensure proper implementation of schemes and facilitate their monitoring.

Disclaimer: This reply does not represent a formal and definite position of the European Commission but is only an informal guidance provided by the services of DG Competition to facilitate the application of the GBER. It is therefore not binding and cannot create legal certainty or legitimate expectations.