

Federal Ministry of Education and Research

Announcement

of regulations governing the funding of projects in the field “Particles” within the
“Exploration of the Universe and Matter – ErUM” framework programme

of 30 March 2023

This is a courtesy translation of the German announcement. The content of the English translation is not legally binding.

1 Aim and purpose of funding, legal basis

1.1 Aim of funding

Large facilities used for basic scientific research are a core component of Germany’s research infrastructure. The “Exploration of the Universe and Matter – ErUM” framework programme¹ of the Federal Ministry of Education and Research (BMBF) is therefore aimed at continuously increasing the performance of large research facilities while broadening the range of user-driven application. Consideration is given to both the European and the international context of further development of large facilities².

As part of the “Exploration of the Universe and Matter – ErUM” framework programme, the BMBF intends to support research and development projects in the field of particles. The funding is aimed at supporting basic research in elementary particle physics as well as hadron and nuclear physics using selected large research facilities in which the Federal Government is significantly involved.

This funding measure serves to implement the goal of shaping research infrastructures on the basis of the Federal Government’s research policy priorities in accordance with the BMBF’s “ErUM-Pro” action plan.³ The large facilities for basic physical research utilize pioneering new technologies with wide-ranging practical applications. They enable scientific excellence in the exploration of matter and the universe and are the first step in ensuring that the innovation pipelines in Germany continue to be well-supplied. The insights gained at these facilities become the starting point for innovations. This research which only large facilities can accommodate makes an important contribution to the Future Research and Innovation Strategy⁴ of the Federal Government at the fundamental level of the value chain, that is, basic scientific research, as its focus is on structured knowledge and technology transfer. It furthermore contributes to further strengthening Germany’s outstanding position in global competition. In line with the Future Research and Innovation Strategy, the aim is therefore to continuously enhance the performance and range of uses of large scientific facilities.

¹ <https://www.bmbf.de/bmbf/de/forschung/naturwissenschaften/erforschung-von-universum-und-materie/erforschung-von-universum-und-materie.html>

² See for example ESFRI Roadmap 2021 – Strategy Report on Research Infrastructures

³ https://www.bmbf.de/SharedDocs/Publikationen/de/bmbf/7/31440_Aktionsplan_ErUM-Pro.html

⁴ https://www.bmbf.de/bmbf/de/forschung/zukunftsstrategie/zukunftsstrategie_node.html

The projects will contribute significantly to securing and enhancing the excellent international position of German science in the ErUM field “Particles” and to strengthening education and research in Germany on a long-term basis.

The aims of the funding measure are to

- Enable excellent research at large facilities for elementary particle physics, hadron and nuclear physics
- Enhance large facility infrastructure to boost the scientific performance of existing facilities and facilities that are planned or under construction
- Study and develop innovative detector systems at selected accelerators and construct and use them efficiently
- Develop new experimenting techniques and physical analytical methods to address current scientific issues
- Generate the expertise needed to develop and efficiently use large facilities

1.2 Funding purpose

To achieve the funding objectives, this measure aims to support the implementation of research and development activities which

- Develop and build efficient detector systems or improve existing detector systems
- Develop new research methods
- Develop key components
- Drive innovation processes through the transfer of scientific and technical results from basic research into industry

In addition to this, the measure aims to

- Support joint cross-topic work between partnerships of universities and non-university research institutions in the field of particles as part of larger, particularly international collaborations, and to
- Secure the qualified utilization of the large facilities by recruiting and training early-career researchers.

The BMBF attaches high priority to Germany’s sustainable development in accordance with the “2030 Agenda for Sustainable Development”⁵. The aim is therefore to further increase the contribution of research at large facilities to sustainable development worldwide.

The measure targets projects whose implementation is of special interest to the Federal Government and is complementary to the funding activities of the Deutsche Forschungsgemeinschaft (DFG).

The scientific topics and priorities are based on the results of the “Prism Process” strategy meeting “Particles 2024-2027” held on 2-3 February 2023 and the recommendations of

- the CERN Council Strategy Group (Update of the European Strategy for Particle Physics⁶)
- the Nuclear Physics European Collaboration Committee (NuPECC Long Range Plan⁷)
- the European Committee for Future Accelerators (ECFA Detector Research and Development Roadmap⁸)

⁵ <https://www.bmz.de/de/agenda-2030>

⁶ <https://cds.cern.ch/record/2721370/files/CERN-ESU-015-2020%20Update%20European%20Strategy.pdf>

⁷ <http://www.nupecc.org/pub/lrp17/lrp2017.pdf>

⁸ <https://cds.cern.ch/record/2784893?ln=en>

- the Laboratory Directors Group (European Strategy for Particle Physics - Accelerator R&D Roadmap⁹) and
- the committees for elementary particle physics (KET), hadron and nuclear physics (KHuK) and accelerator physics (KfB).

1.3 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/AZAP/AZV) and/or applications by commercial companies for 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 (1) and (2) (a), (b) and (c) of the General Block Exemption Regulation (GBER) of the European Commission.¹⁰ 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 funding measure focuses on projects which aim to provide a deeper insight into the fundamental structure of matter, space and time and the underlying interactions in the area of elementary particle physics as well as on projects in the area of hadron and nuclear physics which serve to explain the nature of matter and energy and the formation of the heavy elements. In view of this fundamental scientific focus, funding under this measure can be provided for research projects which address the following in particular:

- Study of the fundamental components of matter and of the forces at work between them as well as inherent symmetries
- Search for particles and interactions beyond the Standard Model of particle physics as well as for an explanation of the dark matter observed in the universe
- Research into the basic properties of nuclear matter, the fundamental forces at work at this level and the atomic nucleus as a complex multi-particle system
- Study of the components and phenomena of matter under extreme conditions (e.g. high densities, fields and temperatures)

Funding is limited to projects for the construction, use and further development of selected large facilities at national and international centres, in particular involving the detectors and experiments listed in the following. Funding can only be provided for such projects if the experimental programme has been approved by the responsible scientific bodies and if internationally coordinated financial plans as well as evaluated Technical Design Reports or equivalent documents are available.

⁹ <https://cds.cern.ch/record/2800190/files/2201.07895.pdf>

¹⁰ 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 (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 of 26 June 2017, p. 1), Regulation (EU) 2020/972 of 2 July 2020 amending Regulation (EU) 1407/2013 as regards its prolongation and amending Regulation (EU) No 651/2014 as regards its prolongation and relevant adjustments (OJ L 215 of 7 July 2020, p. 3) and Regulation (EU) 2021/1237 of 23 July 2021 amending Regulation (EU) No 651/2014 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 (OJ L 270 of 29 July 2021, p. 39).

At LHC (CERN, Geneva), the following experiments are given priority: ALICE, ATLAS, CMS and LHCb, in particular the fulfilment of German obligations during Run 3 and Long Shutdown 3. Another priority is setting up experiment pillars at FAIR (Darmstadt). These experiment pillars include APPA, CBM, NUSTAR and PANDA while considering the progress made with the construction of the FAIR facility and the actual prospects for realizing the individual pillars. This includes in particular the utilization of the experiments before the completion of the FAIR facility (Phase 0) and ensuring the timely set-up of experiments for initial operation (Phase 1). The decision on funding will take into account relevant changes in the general conditions.

Funding can be provided for research activities at other large facilities if they are closely related to the topics of the above selected large facilities and experiments and directly support their success, e.g. by developing relevant methods or experimental components, or if they make other excellent scientific contributions to the above-mentioned topics.

In the area of cross-cutting activities, the following can be funded:

- Projects to develop accelerators and detectors if they significantly enhance the uses of existing or future large facilities of relevance in the field
- Work to strengthen and innovatively develop the research data management and the necessary information infrastructure in accordance with the requirements of the funded experiments. Cooperation across experiments is expressly desirable in the development of plans for addressing future challenges (e.g. HL-LHC).

In order to strengthen Germany's innovative capacity, we aim to support the translation of ideas and findings from the funded activities into innovative products and services. Funding may be awarded to project-related measures that serve to improve efficiency at the interface between science and industry.

Funding may also be awarded for the development of technologies and methods which contribute to climate-friendly and resource-efficient operation and utilization of the above-mentioned large facilities and experiments. This is expected to make a contribution to achieving the climate action goals and implementing sustainability measures as part of Germany's Sustainable Development Strategy¹¹.

Ideally, the projects are closely connected with training of junior researchers and their involvement in research at large facilities. The involvement of junior research group leaders, junior professors and researchers at comparable career levels in the organization of the project and the involvement of project leaders in higher education teaching are expressly welcome.

The aim is to raise the profile of the study of the universe and matter at large facilities under the ErUM programme, and thus also the visibility of excellent BMBF-funded research within and outside Germany, and to ensure society's participation in the findings and successes of research. In particular, the establishment or continuation of ErUM research focuses (ErUM-FSPs) is desirable and eligible for funding. ErUM-FSPs are collaborations of research groups that must be based on specific themes, experiments or methods and jointly address a complex issue. Collaborative research work in the ErUM context is a precondition for establishing or continuing an ErUM-FSP, but not all partners are required to receive funding from ErUM-Pro. For further information see section 7 below. Funding may also be awarded for ancillary measures that effectively communicate the relevance of the projects for society and industry. Cooperation across disciplinary boundaries is expressly welcome.

¹¹ Maßnahmenprogramm Nachhaltigkeit – Weiterentwicklung 2021 „Nachhaltigkeit konkret im Verwaltungshandeln umsetzen“.

In exceptional cases, theoretical work can be funded under these regulations if it is directly connected with experimental projects to be conducted at the above described large facilities and will deliver results which are crucial for the successful implementation of the experimental projects. The funding application must include an explicit statement of the reason why such contribution is necessary. Theoretical work must without exception be included in a collaboration with experimental work.

Funding under these regulations will not be provided for research topics that are not related to the development of new instruments or methods, for standard equipment associated with the large facility and for the operation of research facilities.

Work packages addressed in cooperation with commercial companies can be funded if either the aim is to transfer ideas and findings from the funded activities into practical application or if existing industrial know-how about new methods and innovative technologies will be used in the planned activities of universities to study particles at large facilities as part of ErUM so that early exchange will stimulate innovation processes. Examples of such collaborations are:

- Cooperation between universities and commercial companies as well as
- Cooperation between academic spin-offs and their parent institutions.

3 Funding recipients

Applications may be submitted by universities, non-university research institutions and commercial companies.

Applicants are required to have a plant or branch (company) or another entity in Germany serving the non-commercial activities of the funding recipient (university, research institution) at the time of payment of the grant.

Research institutions which receive basic funding from the Federal Government and/or the *Länder* can only be granted project funding supplementary to their institutional funding to cover additional project-related expenditure or costs under certain conditions and provided that the involvement of the research institution is essential for ensuring the success of a collaborative project.

At least one of the collaboration partners must be a university.

Commercial companies can be funded as part of a collaboration if they play a vital role in achieving the project goal.

Individual and collaborative projects may also cooperate with associated partners, that is, partners which do not receive funding. Any cooperation with associated partners must be described in the proposals for individual projects and collaborations. This applies in particular to the work and resources which the associated partner plans to contribute as part of the cooperation.

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 Community Framework for State Aid for R&D&I.¹²

¹² Commission Communication (2022/C 414/01) of 28 October 2022 (OJ C 414 of 28 October 2022, p. 1 ff.)

Small and medium-sized enterprises (SMEs) within the meaning of these funding regulations are companies that meet the requirements of the EU definition of SMEs.¹³ Applicants will declare their classification according to Annex I of the GBER to the granting authority in their written application for funding.

4 Special prerequisites for funding

The partners in a collaborative project will set out the terms of cooperation in a written agreement.

All funding recipients, including those which are research institutions within the meaning of Article 2 (83) GBER, must ensure that companies do not receive any form of indirect aid. The provisions of No. 2.2 of the EU's R&D&I State Aid Framework 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 (cf. BMBF form No. 0110).¹⁴

5 Type, scope and rates of funding

Funding will be awarded in the form of non-repayable project grants.

Grants for commercial companies and for projects of research institutions which fall into the category of economic activities¹⁵ will be calculated on the basis of the eligible project-related costs. Part of these costs can be covered, taking legislation on state aid into account (see Annex). The BMBF's policy requires that applicants make an appropriate contribution of their own towards the eligible costs incurred.

Grants for universities, research and science institutions and similar establishments that do not fall into the category of economic activities are calculated on the basis of the eligible project-related expenditure (in the case of the Helmholtz centres and Fraunhofer, eligible project-related costs), which can be awarded up to 100% coverage in individual cases, taking legislation on state aid into account.

In the case of non-commercial research projects at universities and teaching hospitals, a flat-rate grant amounting to 20% of total expenditure will be awarded in addition to the eligible expenditure funded by the BMBF.

Expenditure/costs which serve to provide the general public with access to the planned research process and/or its results during the funding period and to enter into a dialogue with society are eligible for funding. Science communication is the provision of generally understandable information about research and science content and dialogue-oriented communication with target groups outside the scientific community.¹⁶

¹³ 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)) (OJ L 124 of 20 May 2003, p. 36): [<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32003H0361&from=EN>].

¹⁴ https://foerderportal.bund.de/easy/easy_index.php?auswahl=easy_formulare, header BMBF under "Allgemeine Vordrucke und Vorlagen für Berichte".

¹⁵ For the definition of 'economic activity' please refer to No. 2 of the Commission Notice on the notion of State aid (OJ C 262 of 19 July 2016, p. 1) and No. 2 of the R&D&I State Aid Framework.

¹⁶ See also BMBF guide (FAQ) on science communication.

Eligible expenditure/costs are governed by the BMBF's regulations governing applications for expenditure-based grants (AZA/AZAP/AZV) and/or cost-based grants (AZK) of commercial companies.

The determination of the respective eligible costs and rates of funding must take account of the requirements stipulated in the GBER (see Annex).

6 Other terms and conditions

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.

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) and the *Besondere Nebenbestimmungen für den Abruf von Zuwendungen im mittelbaren Abrufverfahren im Geschäftsbereich des Bundesministeriums für Bildung und Forschung* (BNBest-mittelbarer Abruf-BMBF) for the drawdown of funds.

Participation in the profi-Online procedure is mandatory.

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

Funding recipients are expected to ensure open electronic 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 not initially published in a journal which is electronically accessible to the public free of charge, they must be made publicly available free of charge by electronic means, following a suitable 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.

Funding recipients are required to describe suitable science communication measures which they are planning in connection with their research process and research findings.

The partners in a collaboration are expected to develop a joint strategy for science communication. Commercial companies (including start-ups and SMEs) are encouraged to engage in science communication measures even though this is not a criterion in decision-making by the funding provider.

When planning and implementing the project, care must be taken that resources are deployed in an ecologically sustainable way. The conservation of resources must be taken into account when designing and building new large facilities or improving existing facilities and when developing new research methods and networking measures. This includes in particular the planning of official travel, resource-conserving use of data and sustainability considerations in the establishment of information infrastructures.

7 Procedure

7.1 Involvement of a project management organization, application documents, other documents and use of the electronic application system

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

Projektträger DESY
 22603 Hamburg
 Phone: +49 (0)40 89 98-37 02
 Fax: +49 (0)40 89 94-37 02
 Email: pt@desy.de
 Internet: <http://pt.desy.de>

Your contacts are:

Dr Katja Bunk
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 Phone: +49 (0)40 89 98-56 21
 Email: teilchen.pt@desy.de

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

Please take note of the information for applicants and regarding the ErUM-FSP on the project management organization's website: <http://pt.desy.de/bekanntmachungen/>

Application forms, guidelines, leaflets, information and auxiliary terms and conditions are available online at

https://foerderportal.bund.de/easy/easy_index.php?auswahl=formularschrank_foerderportal&formularschrank=bmbf

or can be obtained directly from the above-mentioned project management organization.

The electronic application system "easy-Online" must be used for drafting formal applications (<https://foerderportal.bund.de/easyonline>). This portal enables the electronic submission of the application which must be submitted in writing. An electronic document that bears a qualified electronic signature is sufficient for electronic submission.

7.2 Single-step application procedure

Interested applicants can take part in an online information event of the project management organization, which will explain the content of the funding call and the application procedure. For more details about the event, applicants are advised to visit the website of the project management organization or to go to <https://indico.desy.de/event/38060/>.

Formal funding applications must be submitted to the project management organization by 1 July 2023 at the latest using "easy-Online". The deadline for submission is not a cut-off deadline.

An application for funding is only considered complete if at least the requirements of Article 6 (2) GBER (cf. Annex) are fulfilled.

Funding applications for collaborative projects must be submitted in consultation with the envisaged collaboration coordinator. A joint overview which describes the planned cooperation is required. This overview should also include German contributions that will be made in the context of large international facilities.

It may not be possible to consider applications received after the above date.

The applications received will be reviewed and evaluated in accordance with the following criteria involving the BMBF's "Particles 2024-2027" review committee:

- Contribution to achieving the research policy goals and scientific objectives of the measure, including with regard to
 - Political relevance for the strategic development of large research facilities
 - Technology transfer (if applicable)
 - 2030 Agenda Sustainable Development Goals
 - Training and recruitment of early-career researchers
- Scientific excellence
- Scientific originality
- Relevance, in particular
 - Significance of the project for enhancing the special strengths of the large facility
 - Significance of the contribution for the joint collaborative project (where applicable)
- Prospects of success, in particular
 - Competency of the project leader to carry out the project

- Quality of work, time and cost planning including interfaces and milestones for both individual projects and collaborative projects
- Scientific and economic utilization of results/utilization plan
- Necessity of federal funding for achieving the envisaged objective of the project
- Urgency of funding in terms of time

It is highly desirable that consideration be given to the ecologically sustainable use of resources in the planning and implementation of the project, with direct reference to at least one of the 2030 Agenda Sustainable Development Goals.

After final consideration of the application, a funding decision will be taken on the basis of the above criteria and evaluation.

Funding is intended to start on 1 July 2024. The projects should be designed to run for a period of three years and structured along specific milestones. In justified exceptional cases, applications may also be submitted for a project period of less than three years or for up to a maximum of five years.

In duly substantiated cases (e.g. parental leave, first-time appointment, return from abroad) a review of applications will be possible after the start of funding. Relevant applications should be submitted by 1 May 2025.

7.3 Relevant regulations

The approval and payment of and accounting for the funds as well as the proof and examination of the proper use and, if necessary, the revocation of the award and the reclaiming of the funds awarded are governed by sections 48 to 49a of the Administrative Procedure Act (VwVfG), sections 23 and 44 of the Federal Budget Code (BHO) and the related general administrative regulations, unless the present funding regulations allow deviation from the general administrative regulations. The *Bundesrechnungshof* (Germany's Supreme Audit Institution) is entitled to carry out audits in accordance with section 91 of the Federal Budget Code (BHO).

8 Validity

These funding regulations will enter into force on the day of their publication in the Federal Gazette (*Bundesanzeiger*). These funding regulations 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 2024. If the period of the GBER is extended without relevant amendments concerning state aid rules, the duration of these funding regulations will be extended accordingly, though not beyond 31 December 2029. 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 2029.

Bonn, 30 March 2023
Federal Ministry of Education and Research

Eckart Lilienthal

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. Applicants are hereby informed that the national courts are obliged to order the repayment of unlawful state aid in accordance with the rulings of the European courts.

State aid on the basis of the GBER will not be granted if there are grounds for exclusion under Article 1(2-5) GBER. This applies in particular 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.

The same applies to aid to a company which is an “undertaking in difficulty” as defined in Article 2(18) GBER. Only undertakings that were not already in difficulty on 31 December 2019, but which became or have become undertakings in difficulty during the period 1 January 2020 to 31 December 2021, are exempted from this restriction in accordance with Article 1(4)(c) GBER.

This announcement is only applicable for state aid that has an incentive effect within the meaning of Article 6 GBER. The required application for state aid in this context must contain at least the following information:

- a. name and size of the company,
- b. description of the project including its start and end dates, project location,
- c. project costs and
- d. type of aid (e.g. grant, loan, guarantee, repayable advance or capital injection) and the amount of public funding needed for the project.

In applying for funding under these funding regulations, applicants declare their cooperation:

- to comply with the requirements of state aid legislation;
- to provide the requested information and/or documentation with evidence of credit worthiness and conformity with state aid requirements;
- to cooperate in the event of a monitoring procedure initiated at/by the European Commission.¹⁷

Furthermore, funding recipients consent to:

- the BMBF storing all records of granted aid documenting compliance with the above requirements, for a period of ten years after aid is granted, and surrendering records to the European Commission upon request;
- the BMBF disclosing aid amounts in excess of 500,000 euros on the EU Commission's state aid Transparency public search page.¹⁸

Under these funding regulations, state aid is granted in the form of grants in accordance with Article 5(1 and 2) GBER.

¹⁷ For example, individual cases may be monitored by the Commission in line with Article 12 GBER.

¹⁸ (The EU Commission's state aid Transparency public search page is available at <https://webgate.ec.europa.eu/competition/transparency/public>.) This disclosure is governed by the provisions for the publication of information required in Annex III of Commission Regulation (EU) No 651/2014 of 17 June 2014. This information includes name of the beneficiary and the amount of aid received.

The GBER restricts the granting of state aid for economic activities in the following areas to the corresponding maximum amounts stated below:

- 40 million euros per project for basic research (Article 4(1)(i) GBER)
- 20 million euros per project for industrial research (Article 4(1)(ii) GBER)
- 15 million euros per project for experimental development (Article 4(1)(iii) GBER)

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 maximum amount of aid subject to notification is not permitted.

2 Scope/rates of funding

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.

Article 25 GBER – Aid for research and development projects

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

- Basic research
- 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 fundamental research, industrial research, and experimental development, please refer to the relevant information in no. 75 and footnote no. 2 of the R&D&I state aid Framework.

The eligible costs of each research and development project must be allocated to the relevant research and development categories.

Eligible costs:

- a. Staff costs: for researchers, technicians and other supporting staff to the extent employed on the project (Article 25 (3)(a) GBER);
- b. 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 duration of the project, as calculated on the basis of generally accepted accounting principles are considered as eligible (Article 25(3)(b) GBER). Additional overheads and other operating expenses (including costs of materials, supplies and similar products) incurred directly as a result of the project are also eligible.
- c. (Article 25(3)(e) GBER).

The aid intensity for each beneficiary must not exceed the following rates:

- 100% of the eligible costs for basic research (Article 25(5)(a) 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)

Insofar as the prerequisites stated in Article 25(6) GBER are fulfilled, the aid intensities for industrial research and experimental development may be increased up to a maximum 80% of the eligible costs as follows:

- 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:

a) 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 organizations where the latter bear at least 10% of the eligible costs and have the right to publish their own research results;

b) 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.

3 Cumulation

For the purpose of complying with the maximum permissible aid intensity, the rules concerning cumulation set out in Article 8 GBER must be observed in particular. The cumulation of several aid measures for the same eligible costs/expenditure is only allowed subject to the following rules and/or in exceptional cases as specified below:

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, is combined with state aid (which includes resources from the European Structural and Investment Funds), 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 of the GBER.