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# **ENOVA**

## **Energy Efficiency Scheme**

**State aid Reference no.: this will be entered once the scheme has been registered**

### **1. State**

Norway

### **2. Title of aid scheme**

Energy Efficiency Scheme (The Scheme).

### **3. National legal basis**

- Parliamentary Decision of 5 April 2001<sup>1</sup> on the basis of a proposition by the Ministry of Petroleum and Energy of 21 December 2000<sup>2</sup> The Parliamentary Decision amends the Energy Act of 29 June 1990 No 50 (Energiloven)
- Agreement (Avtalen) between Enova and the Ministry of Oil and Energy, on the management of the funds derived from the Energy Fund, during the period between January the 1st 2017 to December the 31st 2020<sup>3</sup>. On the 1<sup>st</sup> May 2018 the ownership of Enova (and the

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<sup>1</sup> Odelstingets vedtak til lov om endringer i lov 29. juni 1990 nr. 50 om produksjon, omforming, overføring, omsetning og fordeling av energi m.m. (energilova). (Besl.O.nr.75 (2000-2001), jf. Innst.O.nr.59 (2000-2001) og Ot.prp.nr.35 (2000-2001)).

<sup>2</sup> Ot.prp.nr.35 (2000-2001)

<sup>3</sup>To be found in: <https://www.enova.no/om-enova/om-organisasjonen/oppdragsbrev-og-avtaler/>

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Agreement) was transferred from the Ministry of Oil and Energy to the Ministry of Climate and Environment<sup>4</sup>.

#### **4. EEA legal basis**

All aid<sup>5</sup> provided under this Scheme will be within the limits set out in Article 38 of Commission 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 (General Block Exemption Regulation).

A full version of the Regulation can be found at:

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02014R0651-20170710>

Summary information relating to the Scheme has been registered with the EFTA Surveillance Authority under reference SA **this will be entered once the scheme has been registered.**

#### **5. Definitions**

For the purpose of the Scheme the definitions laid down in Chapter 1 Article 2 of the General Block Exemption Regulation (GBER) are applied by Enova.

#### **6. Objective of the Scheme**

The objective of the Scheme is to enable undertakings to achieve energy efficiency and contribute thus to a higher level of environmental protection.

The Scheme is not sector specific and is technology neutral.

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<sup>4</sup> Ref. the letter of assignment (Oppgragsbrev 2019) of Enova's ownership Ibid.

<sup>5</sup> State aid granted by the EFTA States under the Act referred to in point 1j of Annex XV of the EEA Agreement

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## **7. Eligible Costs**

The costs of the project must be transparent and directly and exclusively related to the project. The eligible costs must be specified at the time of application.

The eligible costs shall be the extra investment costs necessary to achieve the higher level of energy efficiency. They shall be determined as follows:

- Where the costs of investing in energy efficiency can be identified in the total investment cost as a separate investment, this energy efficient–related cost shall constitute the eligible costs
- In all other cases, the costs of investing in energy efficiency are identified by reference to a similar, less energy efficient investment that would have been credibly carried out without the aid. The difference between the costs of both investments identifies the energy efficiency-related cost and constitutes the eligible costs.

The costs not directly linked to the achievement of a higher level of energy efficiency shall not be eligible.

## **8. Aid Intensities**

Aid intensity	
Small enterprises	50 %
Medium-sized enterprises	40 %
Large enterprises	30 %

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## **9. Notification Threshold**

Aid awarded under this scheme will be granted up to EUR 15 million per undertaking per investment project.

## **10. Body authorized to implement the Scheme**

Enova SF<sup>6</sup> is the authorized body to implement the Scheme.

## **11. Scope of the Scheme**

The scheme will be open to undertakings that are registered in Norway and supports projects that are located in Norway or in the Norwegian economic zone.

Aid will not be granted to undertakings that are:

- Subjects to a pending recovery order; or
- In financial difficulties.

## **12. Duration of the Scheme**

The scheme will run from 1st January 2021 until 31st December 2024.

## **13. Budget for Aid under the Scheme**

The annual aid budget for the Scheme will be maximum 1.2 billion NOK.

Should the budget for this scheme increase, Enova will inform the EFTA Surveillance Authority.

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<sup>6</sup> <https://www.enova.no/about-enova/about-enova/259/0/>

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## **14. Form of aid**

All aid awarded under the Scheme will be transparent and in line with criteria set out in Article 5 of the GBER. Aid will be awarded by way of grants.

## **15. Eligible activities to be supported under the Scheme**

The Scheme supports investments in energy efficiency or energy recovery measures, including utilization of waste heat.

In particular:

-In the field of industry and stand-alone facilities (industrial and non-industrial), Enova's programmes aim to promote efficient energy use and energy efficient production processes, including energy recovery and utilization of waste heat.

-In the buildings sector, Enova's programmes promote energy efficiency measures in existing buildings, including the upgrading to a passive house<sup>7</sup> or low energy standard.

There is no automatic entitlement to support from the Scheme. All support is subject to rigorous due diligence appraisal and internal approval by Enova and all projects shall be assessed against the conditions of the scheme and the criteria set out by Enova in the relevant programme.

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<sup>7</sup> The "Passivhaus Standard" is a specific construction standard for buildings, developed by the Passivhaus Institut in Germany (<http://www.passiv.de>), which results in good comfort conditions during winter and summer, without traditional space heating systems and without active cooling

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## **16. Transparency**

Only aid for which it is possible to calculate the precise amount of the aid at the point at which it is awarded will be provided under the Scheme (art 5 (1) GBER).

## **17. Incentive effect**

Aid recipients must demonstrate that the aid is required for projects to proceed by submitting a written application before work on the project or activity has started. The application will as a minimum contain the following information (Art 6 GBER):

- (a) Name and size of the undertaking receiving the aid;
- (b) Description of the project, including its start and end dates;
- (c) Location of the project;
- (d) List of project costs;
- (e) Form of aid and amount of public funding needed for the project.

## **18. Cumulation**

In determining whether the notification thresholds and the maximum aid intensities are respected, the total amount of State aid for the activity or project shall be taken into account (Art 8 GBER). The total amount of State aid may be comprised of local, regional, national or other funds managed and controlled by Norway as a contracting party to the EEA Agreement<sup>8</sup>.

EU funding that is understood as centrally managed and outside the direct and indirect control of Norway will not be

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<sup>8</sup> Ref. Structural Funds which qualify as State aid

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taken into account for the calculation of the notification thresholds and aid intensities.

The total amount of public funding, which includes State aid and EU funding together and is granted in relation to the same eligible costs should not exceed the most favourable funding rate<sup>9</sup> laid down in the applicable rules of EU/EEA Law.

Aid provided under this Scheme will not be cumulated with any de minimis aid in respect of the same eligible costs, if such cumulation would breach the applicable aid intensities.

## **19. Publication, Reporting and Monitoring requirements**

Enova will ensure the publication on Norway's national State aid register (art 9 GBER) of:

- The summary information about each aid measure exempted under GBER in the standardised format laid down in Annex II of the GBER (ref. GBER information sheet), or a link providing access to it
- The full text of each aid measure, including its amendments (ref. the Scheme), or a link providing access to it
- The information referred to in Annex III of the GBER on each individual aid award exceeding EUR 500 000

In particular, the information on each individual aid award shall be organised and accessible in a standardised manner, as described in Annex III, and shall allow for effective search and download functions.

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<sup>9</sup> The term "funding rate" is broader than "aid intensity". It refers to the ratio of the total amount of public funding (State aid and EU funding together) to the eligible costs for a specific project

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All the above information shall be published within 6 months from the date the aid was granted and shall be available for at least 10 years from the date on which the aid was granted.

Enova will follow the requirements on reporting and monitoring as they are described in articles 11 and 12 of the GBER.

Detailed records with the necessary information and supporting documentation will be maintained for 10 years from the date of the last award of aid under the Scheme.

Enova will provide the EFTA Surveillance Authority with all the information and documentation it considers necessary to monitor the application of the GBER within 20 days of such request from the Authority.