


EFTA SURVEILLANCE AUTHORITY

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Ref.No. SAM 030.94.022

EFTA SURVEILLANCE AUTHORITY DECISION

OF 28 DECEMBER 1994

TO CLOSE THE FILE ON THE INTERNATIONALISATION PROGRAMME OF OBERÖSTERREICH
(AUSTRIA)

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to the Agreement on the European Economic Area¹, in particular to Articles 61 to 63,

Having regard to the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice², in particular Article 1 of Protocol 3 thereof,

WHEREAS:

I. FACTS

1. The notification

By letter dated 20 June 1994 (Zl. 502.122/89-A/94), received on 21 June 1994 (Ref. 94-9299 A), the Austrian authorities notified the EFTA Surveillance Authority, in accordance with Article 1(3) of Protocol 3 to the Surveillance and Court Agreement, of the aid proposal referred to above.

By letter dated 12 July 1994 (Ref. 94-10616 D), the Austrian authorities have been asked to provide additional information with regard to the foreseen aid measures. The Austrian authorities replied (undated letter (502.122/129-A/94), received on 17 August 1994) that the planned aid scheme would be in conformity with the SME and de minimis definitions and intensities, but did not provide further information with regard to the export target of the foreseen aid measures. Consequently, the Austrian authorities have been asked a second time, by letter dated 6 October 1994 (Ref. 94-

¹ Hereinafter referred to as the EEA Agreement.

² Hereinafter referred to as the Surveillance and Court Agreement.

14860 D), followed by a reminder dated 11 November 1994 (Ref. 94-16616 D), to provide the requested information.

In the reply dated 5 December 1994, received on 6 December 1994 (Ref. 94-17817 A), the Austrian Government informed the EFTA Surveillance Authority that the Regional Government of *Oberösterreich* does no longer intend to put the Internationalisation Programme into force. Therefore, the Austrian Government informed the EFTA Surveillance Authority of its decision to withdraw the notification.

II. APPRECIATION


Due to the withdrawal of the notification and the decision of the Regional Government of *Oberösterreich* not to put the aid scheme into effect, the case at hand has to be closed.

HAS ADOPTED THIS DECISION:

1. The EFTA Surveillance Authority has decided to close the case 94-022 concerning the Internationalisation Programme of the Austrian *Land* Oberösterreich, because the Regional Government of that *Land* decided not to put the aid scheme into effect and consequently withdrew the notification.
2. The Austrian Government is informed of this decision by means of a letter sent by the State aid and Monopolies Directorate acknowledging the receipt of the letter from the Austrian Government by which the notification referred under 1. has been withdrawn.

Done at Brussels, 28 December 1994

For the EFTA Surveillance Authority


Knut Almestad,
President


Heinz Zourek
College Member