

**HISTORIC SCOTLAND CULTURE AND HERITAGE INFRASTRUCTURE SCHEME 2014
– 2020
SCHEME REFERENCE NUMBER: SA.41194**

LEGAL BASIS

The Historic Scotland Culture and Heritage Infrastructure Scheme 2014 - 2020 (the “Scheme”) operates under Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the common market in application of Articles 107 and 108 of the Treaty as published in the Official Journal of the European Union on 26 June 2014 (the “Regulation”).

The legal basis for the Scheme is the European Communities Act 1972 and the following Acts.

Planning (Listed Building & Conservation Areas)(Scotland) Act 1997;
Historic Buildings and Ancient Monuments Act 1953;
Ancient Monuments & Archaeological Areas Act 1979;
Historic Environment (Amendment)(Scotland) Act 2011;
National Heritage (Scotland) Act 1983,

OBJECTIVE

This Scheme covers discretionary funding awarded to enterprises to assist them with activities in the area of culture and heritage conservation.

The principal objective of the Scheme is to encourage investment in this areas of activity in Scotland and secure the consequent economic benefits to Scotland.

GENERAL PROVISIONS

There is no automatic entitlement to support from Historic Scotland (“HS”). Assistance may be offered through a range of grants delivered by HS, based on the merits of the proposed project, and an assessment of need for assistance. Any funding is subject to rigorous due diligence appraisal and internal approval by HS. Any business interested in assistance from HS relating to the Scheme outlined below should consult <http://www.historic-scotland.gov.uk>, or contact us by phone on **0131 668 8801** or by e-mail to hs.grants@scotland.gsi.gov.uk.

Aid can be awarded to enterprises of all sizes.

Applicants must submit an application for assistance to HS before work on the project or activity has started, and the application must be approved in writing before work can commence on the project.

Where the applicant is a large company, additional conditions will be applied to ensure that the aid has an incentive effect. The applicant must provide documentation which establishes that the aid will achieve one or more of the following: a material increase in the scope of the project/activity; a material increase in the total amount spent by the beneficiary on the project/activity; or a material increase in the speed of completion. This documentation will be verified by HS before the application is approved.

HS is required to provide annual returns to the UK Government and European Commission detailing aid provided under this Scheme, and to maintain detailed records regarding individual aid provided under the Scheme. Such records must contain all information necessary to establish that the conditions laid down in the Regulation are fulfilled, including information on the status of any undertaking whose entitlement to aid or a bonus depends on its status as an SME, information on the incentive effect of the aid, and information making it possible to establish the precise amount of eligible costs for the purpose of applying the Regulation. Records must be maintained for 10 years from the date on which the last aid was granted under the Scheme. The information which must be provided to SE and/or retained by the aid recipient will be set out in any offer of grant made under the Scheme.

DEFINITIONS

For the purposes of this scheme:

- Any reference to an “Article” shall mean an Article of the Regulation;
- The definitions set out in Article 2 of the Regulation shall apply to the descriptions of the types of aid outlined below.

TYPES OF AID UNDER THE SCHEME

The information below is intended to be a helpful summary of the types of aid which may be granted under the Scheme. Any award will, however, be subject to assessment against the detailed conditions of the Regulation. It should be noted that the aid amounts stated reflect the maximum levels of support permitted under the Regulation and HS may set lower aid intensities for specific products or programmes created under the Scheme, taking into account the strategic rationale and market failure being addressed through the aid.

Aid for culture and heritage conservation

Aid to support costs associated with culture and heritage conservation may be provided in line with the conditions set out in Article 53. This does not cover aid to press and magazines, whether in print or electronic form.

The maximum amount of aid that can be granted under this provision is:

For investment aid: EUR 100 million per project; and

For operating aid: EUR 50 million per undertaking per year

The eligible costs for investment aid and operating aid are as set out at paragraphs 4 and 5 of Article 53.

For investment aid, the aid amount shall not exceed the difference between eligible costs and the operating profit of the investment, as further described in the Regulation.

For operating aid the aid amount shall not exceed what is necessary to cover the operating losses and a reasonable profit over the relevant period.

Where the aid amount does not exceed EUR 1 million, the maximum aid amount may instead be set at 80% of eligible costs. The exception to this is where aid is being granted for publishing of music and literature, where the conditions set out in paragraph 9 of Article 53 apply.

The full text of the General Block Exemption Regulation can be found [here](#).