

# The conference

## European limits on support for businesses - practical consequences for SMEs



### **PRESENTATION**

The impact of community legislation in the area of State support is clear to see in French tax legislation. Thus, the French State must, like all other Member States, inform and obtain the approval of the Commission for aid projects or schemes if they are not covered by:

- an aid scheme that is already authorised by the European Commission
- "minimis" aid (which, given the small amounts involved, will not distort competition between businesses)
- regional aid
- one of the exemption regulations (in particular aids in favour of SMEs)

Numerous French tax arrangements are thus subject to the "minimis" limitation, or are exclusively reserved for SMEs.

### **INTERESTS & OBJECTIVES**

- Clarify the community State aid scheme (tax incentives) and its limits
- Presentation of the French tax measures intended for SMEs resulting from the State aid scheme (minimis ceiling, tax incentives limited to SMEs...) and the risks resulting therefrom (in particular risks of repayment)
- Provide analysis tools for the main risks connected to community limits
- Draw up the list of the main tax arrangements subject to the community limits that are most frequently used by SMEs

### **POINTS DISCUSSED**

- General presentation of the community State aid scheme in the form of taxes
- Presentation of the minimis ceiling mechanism and its application and control methods (with a reminder of the tax measures concerned by this ceiling)
- Definition of an SME in the community meaning and difficulties of interpretation
- Tax incentives exclusively reserved for SMEs (for example the immediate repayment of certain tax credits such as the CICE)
- Presentation of tax measures that are the State tax incentives the most used by SMEs (in particular reductions in income tax and wealth tax for subscription in the capital of an SME)

### **SPEAKERS**



**Laurence Capelli**  
lawyer



**Hervé Kruger**  
Chartered Accountant,  
Doctor of Law, author  
of the book  
"La gestion fiscale des  
holdings" ed. Groupe  
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