

**NORGES DELEGASJON TIL DEN EUROPEISKE UNION,  
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DATO: 11. mars 2004

TIL: NHD faks nr 22 24 01 30

KOPI TIL:

Intern fordeling:

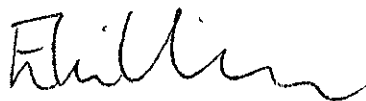
VÅR REF.: Tore Thomassen

DERES REF.:

**SAK: ESA's Decision of 9 April 2003 to amend the Authority's decision of 4 December 2002 to propose appropriate measures to Norway with regard to State aid in the form of guarantees under the Act on State Enterprises ("Lov om statsforetak")**  
**- Acknowledgment of receipt**  
**- Acknowledgment of acceptance of appropriate measures**

Vedlagt følger kopi av brev fra ESA datert 8. mars ang. overnevnte tema. Vi gjør oppmerksom på fristen 18. mars.

Med hilsen



Elin Vikane  
for Tore Thomassen

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Brussels, 8 March 2004  
 Event No: 258178  
 Case No: 24174  
 (SAM070.019)

Norwegian Mission to the EU  
 Rue Archimède, 17  
 1000 Brussels

EFTA SURVEILLANCE  
 AUTHORITY

EU-DEL. Brussel <i>YNT</i>
Ref. 2004/0005 45-9
10 -03- 2004
Artikode <i>542.423</i>

Dear Sir/Madam,

**Subject: EFTA Surveillance Authority's Decision of 9 April 2003 to amend the Authority's decision of 4 December 2002 to propose appropriate measures to Norway with regard to State aid in the form of guarantees under the Act on State Enterprises ("Lov om statsforetak")**

- Acknowledgment of receipt
- Acknowledgment of acceptance of appropriate measures

Reference is made to the EFTA Surveillance Authority's decision of 9 April in the above matter. In this decision the Authority proposed to the Norwegian Government to "...take, without delay, any legislative, administrative and other measures necessary to eliminate any incompatible aid resulting from Sections 4, 51 and 53 of the Act on State Enterprises. Any such aid should be abolished with effect from 1 January 2003, with the exception of the continued application of these provisions with respect to State enterprises' financial obligations not linked to specific loans and which existed prior to 1 January 2003. With respect to the latter, the abolishment of the State guarantee resulting from Sections 4, 51 and 53 of the Act on State Enterprises shall take effect as soon as the required legislative process concerning the abolishment of the State guarantee has been finalised, in any event not later than 31 July 2003".

The measures taken by the Norwegian Government should be communicated to the Authority "...as soon as possible and in any event not later than 30 June 2003".

The Norwegian Government was also asked "...to agree to this proposal for appropriate measures and to inform the Authority thereof, within one month from receipt of this proposal".

Reference is also made to the letter of the Ministry of Trade and Industry dated 4 July 2003, forwarded to the Authority by the Mission of Norway to the European Union, received and registered by the Authority on 8 July 2003 (Doc. No. 03-4514-A), where the Ministry informed the Authority that the Parliament had approved the Government's proposal to bring the guarantee premiums regarding Statkraft and Statnett loans in line with the proposed appropriate measures in the Revised National Budget of 2003, with effect from 1 January 2003.

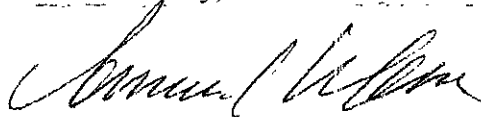
The Authority hereby acknowledges receipt of the letter from the Norwegian Mission to the European Union dated 4 December 2003, forwarding the letter from the Ministry of Trade and Industry of 2 December 2003, received and registered by the Authority on 4 December 2003 (Doc. No. 03-8567-A), by which Norway informed the Authority that the amendments with regard to guarantees for obligations other than loan obligations, with effect from 1 January 2003, entered into force on 20 November 2003 and consequently

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that the Norwegian Act on State Enterprises ("Lov om Statsforetak") has been amended in line with the Authority's proposal for appropriate measures.

The Authority hereby takes note of the Norwegian Government's acceptance of the proposed appropriate measures as laid down in the Authority's decision of 9 April 2003. The Authority also confirms that the Act of 9 January 2004 on amendment to Act of 20 December 2002 No. 88 on amendments to Act of 30 August 1991 No. 71 on State Enterprises (Lov om endring i lov 20. desember 2002 nr. 88 om endringer i lov 30. August 1991 nr. 71 om statsforetak mv.) are in line with the appropriate measures.

Yours faithfully,



Amund Utne

Director

Competition and State Aid Directorate