


# Annex I - reference period in SME definition

1. **Page title:** Please insert the full Article reference (e.g. "Art. 1(4) a)") and a short title (e.g. "Deggendorf principle")
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Article	Annex I
Key words	SME definition; reference period; accounting period;
Member State	CZ
Question	<p><b>Annex I GBER – Art. 4 - Data used for the staff headcount and the financial amounts and reference period</b></p> <p>In the Art. 4 (3) Annex I GBER there is define how to solve the problem with shorter accounting period of new established undertaking, but in certain cases, an undertaking may have approved accounting period for a period longer/shorter than 12 months, according to Czech legislation. For this reason, it is not clear how to exactly modify data from these unusual approved financial statements.</p> <p>For example in these cases:</p> <ul style="list-style-type: none"> <li>• transition (change) of the accounting period (of undertaking which exist for a long time) from a financial year to a calendar year (or vice versa); transmission of the accounting period (of undertaking which exist for a long time) from one financial year to another financial year in these options may be accounting period in the immediately subsequent period             <ul style="list-style-type: none"> <li>• shorter than 12 months</li> <li>• longer than 12 months (but no longer than 23 months)</li> <li>• The accounting period should be longer due to establishing of new accounting entity (undertaking) in a period of 3 months before the end of the calendar year.</li> </ul> </li> </ul> <p>We kindly ask you for an explanation on how to proceed in the above mentioned cases.</p>
Creation Date	

COMP Reply	<p>Annex I of the GBER does not prescribe any specific calculation for these situations and therefore leaves the choice to Member States to use any appropriate methodology. Since the thresholds in Annex I refer to annual figures, the available figures could be re-calculated to equal annual figures, for instance by taking monthly averages or by extrapolating.</p> <p><i>Disclaimer: This reply does not represent a formal and definite position of the European Commission but is only an informal guidance provided by the services of DG Competition to facilitate the application of the GBER. It is therefore not binding and cannot create legal certainty or legitimate expectations.</i></p>
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COMP Responsible	<input checked="" type="checkbox"/> <a href="#">COMP 03 eState aid WIKI</a>

<sup>1</sup> Article numbers & names

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