WIRTSCHAFTSKAMMER ÖSTERREICH

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Ihr Zeichen, Ihre Nachricht vom	Unser Zeichen, Sachbearbeiter	Durchwahl	Datum
	Up/13/45/Su/BB DI Dr. Marko Sušnik	4393	18.6.2013

Fragebogen Europäische Kommission zur GebührenVO

Sehr geehrter Herr Dr. Wimmer!

Wir bedanken uns für die Einbindung der Wirtschaftskammer Österreich zu diesem Fragebogen und nehmen wie folgt Stellung:

1. How many autonomous companies with a staff headcount 250-499 have their registered office in your Member State? What is the proportion of these companies within the group of all companies that do not meet the criteria of the SME definition in accordance with Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises?

Within the membership of the WKÖ (404.690 companies), which is highly representative due to a mandatory membership, we can give the following overview based on the number of employees from 2012 in all our branches:

- 1-9: 372.895
- 10-49: 25.754
- 50-249: 4.952
- 250-499: 628
- 500+: 413

→ Proportion of “250-499” in “250+”: 60,33%
→ Overall proportion of “250-499”: 0,16%

2. Are there any specific support measures for autonomous companies with a staff headcount between 250 and 499, or a similar category of companies (in any sector) in your Member State? If yes, please describe them briefly.

This question we cannot answer, since due to a lack of such a category in the EC's SME-definition we are not having statistics on that matter. However, we assume that due to the lack of such a category specific support is not available or is available only in few specialized areas like e.g. in R&D.

3. Are you aware of any specific difficulties these companies are having in fulfilling REACH obligations in your Member State? Are these difficulties unique for this group of companies or are they shared also with companies which migrate between categories inside the SME definition? Have these problems a transitional character or are they persistent?

In general the difficulties and challenges this companies face are very similar to medium-sized companies according to the EC definition. The company structures are very similar and far from being comparable to large industry. The financial impacts on the group in question are basically were similar than on medium-sized companies, but however, can be even higher. Based on a real-life example we would like to show this impact:

- Factual company has an annual turnover of ~ € 30 Mio. and ~ 400 employees
  → annual per capita turnover is ~ € 75.000,-.
- A model company has an annual turnover of a bit less than € 50 Mio. and 249 employees
  → annual per capita turnover is ~ € 200.000,-.
- Another model company has an annual turnover of a bit less than € 50 Mio. and 50 employees
  → annual per capita turnover is ~ € 1 Mio.

Both two model companies fulfil the EC definition of a medium-sized company. The factual company does not although this company is financially in a weaker position.

4. Would you consider it appropriate to define a category of autonomous companies with staff headcount between 250 and 499 on the ground that these companies have a different economic position as opposed to other (large) companies?

Definitely yes. See also question 3.

5. Would you consider it appropriate to define a particular category of companies, benefiting from REACH fee rebates, based solely on the staff headcount and not taking into consideration financial criteria, such as those in the SME definition in Commission Recommendation of 6 May 2003?

Considering our discussion in question 3, our suggestion for this new definition of an "extra"-medium company is:

> "Number of employees between 250 and 499; not exceeding an annual turnover of € 100 Mio."

However, we point out that our analysis in this context is only valid for the purpose of the fee regulation under REACH/CLP. Other areas need a separate evaluation.

In diesem Sinne ersuchen wir um Berücksichtigung unserer Anliegen.

Beste Grüße

DI Dr. Marko Susnik
Referent