

# State aid rules: aid categories or measures exempted from notification requirements

2012/0344(NLE) - 22/07/2013 - Final act

**PURPOSE:** to reform the State Aid rules.

**NON-LEGISLATIVE ACT:** Council Regulation (EU) No 733/2013 amending Regulation (EC) No 994/98 on the application of Articles 92 and 93 of the Treaty establishing the European Community to certain categories of horizontal State aid.

**CONTENT:** the Council adopted two Regulations aiming to update two main regulations governing the EU's state aid rules: (i) the "[procedural regulation](#)" which sets out the rules concerning state aid investigations and; (ii) the "enabling regulation" enabling the Commission to adopt "block exemption regulations for state aid".

These Regulations are part of the broader reform initiated after the presentation of the [Commission communication](#) on EU state aid modernisation.

The changes made to Council Regulation (EC) No 994/98 (**'Enabling Regulation'**) will allow the Commission to apply a simplified control procedure to certain categories of aid without weakening efficient supervision and monitoring.

**Exemptions by category:** the scope of the Enabling Regulation has been enlarged to include new types of aid. The Regulation now covers aid in favour of:

- small and medium-sized enterprises;
- research, development and innovation;
- environmental protection;
- employment and training;
- culture and heritage conservation;
- making good the damage caused by natural disasters;
- making good the damage caused by certain adverse weather conditions in fisheries;
- forestry;
- promotion of food sector products not listed in Annex I of the TFEU;
- conservation of marine and freshwater biological resources;
- sports;
- residents of remote regions, for transport, when this aid has a social character and is granted without discrimination related to the identity of the carrier;
- basic broadband infrastructure, small individual infrastructure measures covering next-generation access networks, broadband-related civil engineering works and passive broadband infrastructure, in areas where there is either no such infrastructure or where no such infrastructure is likely to be developed in the near future;
- infrastructure in support of other objectives of common interest, in particular the Europe 2020 objectives.

**Thresholds:** the present Regulation specifies that, for each category of block-exempted aid, the thresholds should be expressed either in terms of aid intensities in relation to a set of eligible costs or in terms of maximum aid amounts.

The amending Regulation defines the thresholds not only in terms of aid intensities or maximum aid amounts, but also in **terms of maximum level of State support**.

**Transparency:** the Enabling Regulation requires Member States to provide summaries of information concerning aid implemented by them which is covered by an exemption regulation. The new Regulation stipulates that the publication of those summaries on the **Commission's website** (as well as in the Official Journal) is necessary to ensure the transparency of the measures adopted by the Member States.

ENTRY INTO FORCE: 20.08.2013.