Basic information

2014/0192(NLE) NLE - Non-legislative enactments Regulation	Procedure completed
Horizontal state aid: application of Articles 107 and 108 of the TFEU. Codification Repealing Regulation (EC) No 994/98 1997/0203(CNS) Amended by 2018/0222(NLE) **Subject** 2.60.03 State aids and interventions	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
JURI Legal Affairs	DUDA Andrzej (ECR)	14/10/2014
	Shadow rapporteur GERINGER DE OEDENBERG Lidia Joanna (S&D)	

Council of the European Union

Council configuration	Meetings	Date
Agriculture and Fisheries	3402	2015-07-13

European Commission

Commission DG	Commissioner
Legal Service	JUNCKER Jean-Claude

Key events

Date	Event	Reference	Summary
25/06/2014	Legislative proposal published	COM(2014)0377	Summary
15/09/2014	Committee referral announced in Parliament		
11/11/2014	Vote in committee		
14/11/2014	Committee report tabled for plenary, 1st reading/single reading	A8-0029/2014	Summary
29/04/2015	Decision by Parliament	T8-0116/2015	Summary
29/04/2015	Results of vote in Parliament		

13/07/2015	Act adopted by Council after consultation of Parliament		
13/07/2015	End of procedure in Parliament		
24/09/2015	Final act published in Official Journal		

Technical information

Procedure reference	2014/0192(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consultation of Parliament
Legislative instrument	Regulation
Amendments and repeals	Repealing Regulation (EC) No 994/98 1997/0203(CNS) Amended by 2018/0222(NLE)
Legal basis	Treaty on the Functioning of the European Union TFEU 109
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	JURI/8/00685

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE539.792	16/10/2014	
Committee report tabled for plenary, 1st reading/single reading		A8-0029/2014	14/11/2014	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0116/2015	29/04/2015	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2014)0377	25/06/2014	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Regulation 2015/1588
OJ L 248 24.09.2015, p. 0001

Horizontal state aid: application of Articles 107 and 108 of the TFEU. Codification

2014/0192(NLE) - 14/11/2014 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Legal Affairs adopted the report by Andrzej DUDA (ECR, PL) on the proposal for a Council regulation on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to certain categories of horizontal state aid (codified text).

It recommended the European Parliament to approve the Commission proposal as adapted to the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission.

The Consultative Working Party stated that the proposal in question contains a straightforward codification of the existing texts without any change in their substance.

Horizontal state aid: application of Articles 107 and 108 of the TFEU. Codification

2014/0192(NLE) - 13/07/2015 - Final act

PURPOSE: codification of Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to certain categories of horizontal State aid.

NON-LEGISLATIVE ACT: Council Regulation (EU) 2015/1588 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to certain categories of horizontal State aid.

CONTENT: in the interests of clarity and rationality, this Regulation codifies Council Regulation (EC) No 994/98 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to certain categories of horizontal State aid. **The new Regulation supersedes the various acts incorporated in it**. It fully preserves the content of the acts being codified and hence does no more than bring them together with only such formal amendments as are required by the codification exercise itself.

The main elements of the Regulation are as follows:

Exemptions by category: the Regulation stipulates that the Commission may, by means of block exemption regulations, declare that **certain categories of aid are compatible with the internal market** in accordance with Article 107 of the TFEU and are not subject to the notification requirements of Article 108 of the TFEU.

These categories include:

- aid in favour of: (i) small and medium-sized enterprises; (ii) research, development and innovation; (iii) environmental protection; (iv) employment and training; (v) culture and heritage conservation; (vi) making good the damage caused by natural disasters and making good the damage caused by certain adverse weather conditions in fisheries; (vii) forestry; (viii) promotion of certain food sector products; (ix) conservation of marine and freshwater biological resources; (x) sports; (xii) residents of remote regions, for transport, when this aid has a social character; (xiii) basic broadband infrastructure,
- as well as aid that complies with the map approved by the Commission for each Member State for the grant of regional aid.

These regulations shall specify for each category of aid:

- the purpose of the aid,
- the categories of beneficiaries,
- thresholds limiting the exempted aid,
- the conditions governing the cumulation of aid,
- the conditions of monitoring.

De minimis: similarly, the Commission may decide to exempt certain aid from the notification procedure provided for in Article 108, provided that aid granted to the same undertaking over a given period of time does not exceed a certain fixed amount (*de minimis* aid).

Transparency and control: when adopting regulations, the Commission shall impose detailed rules upon Member States to ensure transparency and monitoring of the aid exempted from notification. Regulations shall apply for a specific period.

Hearing of interested parties: where the Commission intends to adopt a regulation, it shall publish a draft thereof to enable all interested persons and organisations to submit their comments to it within a reasonable time limit to be fixed by the Commission and which may not under any circumstances be less than one month.

ENTRY INTO FORCE: 14.10.2015.

Horizontal state aid: application of Articles 107 and 108 of the TFEU. Codification

2014/0192(NLE) - 29/04/2015 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 636 votes to 52, with 11 abstentions, a legislative resolution on the proposal for a Council regulation on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to certain categories of horizontal state aid (codified text).

Parliament approved, without amendment, the Commission proposal as adapted to the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission.

According to the Consultative Working Party, the proposal in question contains a straightforward codification of the existing texts without any change in their substance.

Horizontal state aid: application of Articles 107 and 108 of the TFEU. Codification

2014/0192(NLE) - 25/06/2014 - Legislative proposal

PURPOSE: codification of Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to certain categories of horizontal State aid.

PROPOSED ACT: Council Regulation.

ROLE OF THE EUROPEAN PARLIAMENT: the Council adopts the act after consulting the European Parliament but without being obliged to follow its opinion.

BACKGROUND: Council Regulation (EC) No 994/98 has been substantially amended. It is recalled that on 1 April 1987 the Commission decided to instruct its staff that all acts should be codified after no more than ten amendments, stressing that this is a minimum requirement. The Edinburgh European Council (December 1992) confirmed this requirement, stressing the importance of codification.

The European Parliament, the Council and the Commission agreed, by an interinstitutional agreement dated 20 December 1994, that an accelerated procedure may be used for the fast-track adoption of codification instruments.

CONTENT: in the interests of clarity and rationality, the purpose of this proposal is to **undertake a codification of Council Regulation (EC) No 994/98** on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to certain categories of horizontal State aid.

The new Regulation will **supersede the various acts incorporated in it**; this proposal fully preserves the content of the acts being codified and hence does no more than bring them together with only such formal amendments as are required by the codification exercise itself.

The proposal stipulates that the Commission may, by means of **block exemption regulations**, declare that certain categories of aid are compatible with the internal market in accordance with Article 107 of the TFEU and are not subject to the notification requirements of Article 108 of the TFEU.

These categories include aid in favour of: (i) small and medium-sized enterprises; (ii) research, development and innovation; (iii) environmental protection; (iv) basic broadband infrastructure; (v) employment and training; (vi) sports as well as aid that complies with the map approved by the Commission for each Member State for the grant of regional aid.

These regulations shall specify for each category of aid:

- the purpose of the aid,
- the categories of beneficiaries,
- thresholds limiting the exempted aid,
- the conditions governing the cumulation of aid,
- the conditions of monitoring.

Similarly, the Commission may decide to exempt certain aid from the notification procedure provided for in Article 108, provided that aid granted to the same undertaking over a given period of time does not exceed a certain fixed amount (***de minimis* aid**).

When adopting regulations, the Commission shall impose detailed rules upon Member States to ensure **transparency and monitoring** of the aid exempted from notification. Regulations shall apply for a specific period.