

**CONSULTATION ON THE REVIEW OF DE MINIMIS RULES FOR  
STATE AID  
- COMMENTS OF INDEPENDENT RETAIL EUROPE -**

**10 JANUARY 2023**



## COMMENTS OF INDEPENDENT RETAIL EUROPE ON THE CONSULTATION ON THE REVIEW OF DE MINIMIS RULES FOR STATE AID

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Independent Retail Europe welcomes the possibility to comment on the draft revised Regulation on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid.

### 1. Increase of the threshold for de minimis Aid

We welcome the intention to increase the de minimis ceiling in line with inflation for the period 2014-2030 to ensure that the real amount of aid provided under the de minimis Regulation is globally stable.

However, taking into account inflation rates between 2014 and end 2022 (marked by a wave of inflation of 10% in the Eurozone and more in non-Euro Member States), the ECB forecasts for 2023 and 2024 (6,1% and 2,4% in the Eurozone, more in non-Euro Member States) and the ECB official mandate for inflation (2%) in the following years, the figure of 275.000€ proposed by the Commission is likely to be reached in 2028 (instead 2030 as claimed in the Commission's explanatory note).

We therefore consider that the ceiling proposed by the Commission should be slightly raised upwards to ensure that it effectively accounts for projected inflation until the end of 2030. At the very least, the ceiling proposed should not be decreased.

#### Action proposed

- ➔ Raise slightly the ceiling proposed (to 290.000€) to effectively match the projected inflation until end of 2030
- ➔ At the very least, do not decrease the ceiling proposed, as it would otherwise induce in practice a decrease of the amount of de minimis state aid.

### 2. Central de minimis register

Provided that some key conditions are met in relation to the accessibility of certain information, we would welcome the Commission proposal to introduce a register to provide transparency about who receives such aid.

- a) In particular, we consider that such a register should be only accessible to providers of State Aid (to check the amount of aid previously received within the last 3 years and assess eligibility).
- b) In case this register would be fully accessible to the public, then it would be crucial to restrict the information available exclusively to the amount of aid received, and not to disclose the purpose of the aid (or the specific project that the aid funded). A fully public access to this register would inevitably allow competitors to access business secrets and monitor commercial strategies of companies receiving aid.

Should either one of these conditions be met, then a mandatory register could help to reduce administrative burdens for companies who currently use a self-declaration system. However, we are opposed to a fully public register giving anyone access to a wide range of information for the reasons mentioned above.

#### Action proposed

- ➔ Clarify that information in the *de minimis* register should only be accessible to providers of state aid;
- ➔ If the register is fully accessible to the public, it should contain limited information (i.e. no information that can be sensitive, such as the project linked to the aid or the purpose of the aid – but only the amount of aid);
- ➔ If either one of these conditions cannot be fully met, the proposal for a register should be deleted.

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*Established in 1963, **Independent Retail Europe** (formerly UGAL – the Union of groups of independent retailers of Europe) is the European association that acts as an umbrella organisation for groups of independent retailers in the food and non-food sectors.*

*Independent Retail Europe represents retail groups characterised by the provision of a support network to independent SME retail entrepreneurs; joint purchasing of goods and services to attain efficiencies and economies of scale, as well as respect for the independent character of the individual retailer. Our members are groups of independent retailers, associations representing them as well as wider service organizations built to support independent retailers.*

*Independent Retail Europe represents 23 groups and their over 417.800 independent retailers, who manage more than 753.500 sales outlets, with a combined retail turnover of more than 1,320 billion euros and generating a combined wholesale turnover of 513 billion euros. This represents a total employment of more than 6.500.000 persons.*

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