



Contribution to Commission's consultation on State aid – exemptions for small amounts of aid (de minimis aid) (update)

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1. Introduction

EFAD AISBL is the European association of national film and audiovisual agencies in Europe. It brings together 37 public authorities providing public funding for film & audiovisual works.

The new draft De Minimis Regulation proposes to:

- increase the ceiling to EUR 275,000 over any period of three years, to take into account the inflation;
- strengthen the transparency requirements by introducing a mandatory public register at national or EU level where Member States provide complete information on de minimis aid granted by any authority.

2. Comments

It is necessary to recall that "*de minimis aid, being aid granted to a single undertaking over a given period of time that does not exceed a certain fixed amount, is deemed not to meet all the criteria laid down in Article 107(1) of the Treaty and is therefore not subject to the notification procedure*" (Recital 1, Regulation 1407/2013). These aids of small amounts do not affect trade between Member States and do not distort or threaten to distort competition. It is therefore not state aid subject to direct monitoring by the Commission.

Therefore, transparency and control requirements of de minimis regimes should be proportionate and in line with simplification and better administration principles.

- Taking into account the current socio-economic context and inflation trends, EFAD agrees that the current de minimis threshold of EUR 200,000 should be adapted. EFAD would like to suggest opting for a slightly higher level than the proposed ceiling of EUR 275,000. A ceiling of EUR 300,000 would seem more appropriate and future-proof. Indeed, if we integrate the observed and anticipated inflation in the EU over the period 2014-2030 (2.38% over this period, which retains the conservative hypothesis of inflation limited to 2% from 2025 onwards), we arrive at a figure of EUR 298,323.

- In relation to transparency requirements, while considering transparency a key element of the system, EFAD insists on the need to avoid any increase of the administrative burden for already overloaded granting authorities.
- It is opposed to the introduction of a mandatory register at European level for de minimis aid that the granting authorities will have to use, in addition to the existing databases (SARI, SANI, Transparency register).
- Moreover, considering the diversity of national situations as to the existence of a national register, EFAD is of the view that freedom should be left to the Member States as to the establishment of such a database at national level. The current arrangements are satisfactory and EFAD does not see a need for mandatory national registers.

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About EFAD: The European Film Agency Directors association is the voice of national European Film Agencies, bringing together the national film and audiovisual agencies across Europe. The 37 EFAD members are European government or government-associated public bodies, in charge of national funding for the audiovisual sector and with the responsibility to advise or regulate on all aspects of audiovisual policies.

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