

From: [REDACTED]
Cc: [COMP A3 HT.6062 CONSULTATION](#)
[COMP STATE AID GREFFE](#); [REDACTED]
Subject: RE: HT.6062_Reply_from_a_public_authority
Date: mardi 18 mars 2025 15:49:13

SAMB/300/2025

Dear Mr Guersent,

Reference is made to the *Consultation on the draft amendments to State aid Implementing Regulation and State aid Best Practices Code as regards access to justice in environmental matters*.

Whilst thanking the Commission for the draft amending documents, as well as for organising the Advisory Committee and Multilateral meeting that was held on 12 March 2025, the Maltese authorities would like to raise the following two points:

- One of the proposed amendments to *Commission Regulation (EC) No 794/2004 of 21 April 2004*, aims to introduce a question in the general notification form by which Member States are asked to confirm that the aid measure and the aided activity comply with EU environmental law. The Maltese authorities would like to express their concern with this proposed amendment, since it appears to shift onto Member States the confirmation or otherwise of the compatibility of a proposed State aid measure, with environmental law. Such a requirement is deemed to be burdensome on the Member State itself, since it would need to have carried out its own checks and assessments prior to the actual entry into force of a proposed State aid measure.
- Malta believes that extending the indicative timing of the pre-notification phase from six months to twelve months, may result in unnecessary delays. We understand that this is a maximum period during which the pre-notification contacts may last, however we believe that the current six-month period should be retained.

Kind regards,

[REDACTED]

[REDACTED]
Senior Case Officer

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MINISTRY FOR THE ECONOMY, ENTERPRISE
AND STRATEGIC PROJECTS

Kindly consider your environmental responsibility before

STATE AID MONITORING BOARD,

printing this e-mail

ST. CALCEDONIUS SQUARE FLORIANA, MALTA |