



EUROPEAN
COMMISSION

Brussels, 17.12.2021
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ANNEX

ANNEX

to the

COMMUNICATION FROM THE COMMISSION

**Approval of the content of a draft Commission Regulation amending Regulation (EU)
No 717/2014 as regards its period of application and the maximum cumulative amounts
of *de minimis* aid**

ANNEX

COMMISSION REGULATION (EU) .../...

of **XXX**

amending Regulation (EU) No 717/2014 as regards its period of application and the maximum cumulative amounts of *de minimis* aid

DRAFT

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 108(4) thereof,

Having regard to Council Regulation (EU) 2015/1588 of 13 July 2015 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to certain categories of horizontal State aid¹, and in particular Article 2(1) thereof,

After consulting the Advisory Committee on State Aid,

Whereas:

- (1) On 29 April 2019, the Commission launched an evaluation of the performance of the sectoral instruments applicable to State aid in the fishery and aquaculture sector since their adoption in 2014-2015, including Regulation (EU) No 717/2014, with a view to amending or repealing them for the period 2023-2027. The preliminary results of that evaluation have shown that Regulation (EU) No 717/2014 remains a relevant, efficient and effective tool, particularly to allow Member States to quickly address short-term negative impacts resulting from unexpected events that could endanger the economic performance of viable operators and jeopardise jobs². However, Regulation (EU) No 717/2014 should remain coherent and consistent with other rules relevant for the assessment of State aid in the fishery and aquaculture sector, in particular with Regulation (EU) 2021/1139 of the European Parliament and of the Council³.
- (2) Commission Regulation (EU) 2020/2008⁴ extended the period of application of Regulation (EU) No 717/2014 until 31 December 2022 to ensure that the Member States could continue granting small amounts of aid pending the adoption of Regulation (EU) 2021/1139.
- (3) The maximum cumulative amounts of *de minimis* aid granted per Member State to undertakings active in the fishery and aquaculture sector over any period of three fiscal years referred to in Article 3(3) of Regulation (EU) No 717/2014 should be updated

¹ OJ L 248, 24.9.2015, p. 1.

² **PENDING**

³ Regulation (EU) 2021/1139 of the European Parliament and of the Council of 7 July 2021 establishing the European Maritime, Fisheries and Aquaculture Fund and amending Regulation (EU) 2017/1004 (OJ L 247, 13.7.2021, p. 1).

⁴ Commission Regulation (EU) 2020/2008 of 8 December 2020 amending Regulations (EU) No 702/2014, (EU) No 717/2014 and (EU) No 1388/2014, as regards their period of application and other relevant adjustments (OJ L 414, 9.12.2020, p. 15).

with more recent sectoral data. In particular, the maximum cumulative amounts should be based on a three-year average of the annual turnover of catching, processing and aquaculture activities in each Member State, obtained by excluding the highest and lowest entries across a five-year period, i.e. 2014-2018.

- (4) To ensure that the Member States may continue granting small amounts of aid in accordance with Regulation (EU) No 717/2014, and in order to ensure continuity and legal certainty, it is appropriate to make a number of adjustments to Regulation (EU) No 717/2014 as listed in Article 1 of the present act, to reflect the legal and economic developments in the fishery and aquaculture sector and to extend its period of application until 31 December 2027.
- (5) Regulation (EU) No 717/2014 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 717/2014 is amended as follows:

- (1) in Article 1(1), point (h) is replaced by the following:
‘(h) aid to the temporary or permanent cessation of fishing activities unless specifically provided for in Regulation (EU) 2021/1139 of the European Parliament and of the Council*;

- (2) in Article 8, the second paragraph is replaced by the following:
‘It shall apply until 31 December 2027.’;
- (3) the Annex is replaced by the text in the Annex to this Regulation.

* Regulation (EU) 2021/1139 of the European Parliament and of the Council of 7 July 2021 establishing the European Maritime, Fisheries and Aquaculture Fund and amending Regulation (EU) 2017/1004 (OJ L 247, 13.7.2021, p. 1).’;

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission
The President
Ursula von der Leyen

ANNEX I

National cap as referred to in Article 3(3)

(EUR)	
Member State	Maximum cumulative amount of <i>de minimis</i> aid granted per Member State in the fishery and aquaculture sector⁽¹⁾
Belgium	24 540 750
Bulgaria	2 172 884
Czechia	3 842 769
Denmark	81 833 109
Germany	77 196 702
Estonia	4 243 567
Ireland	26 601 846
Greece	28 923 364
Spain	217 119 657
France	181 019 480
Croatia	8 681 955
Italy	118 166 895
Cyprus	998 928
Latvia	5 513 209
Lithuania	16 035 859
Luxembourg	0
Hungary	1 259 151
Malta	3 474 898
Netherlands	37 118 541
Austria	2 986 023
Poland	72 434 934
Portugal	43 197 046
Romania	4 237 681

Slovenia	540 764
Slovakia	2 071 578
Finland	12 384 203
Sweden	20 537 179
United Kingdom as regards Northern Ireland	4 377 695
<p>(¹) The maximum cumulative amounts of <i>de minimis</i> aid are based on a three-year average of the annual turnover of catching, processing and aquaculture activities in each Member State, obtained by excluding the highest and lowest entries across a five-year period, i.e. 2014-2018.’</p>	