



Targeted review of the General Block Exemption Regulation: Revised rules for State aid promoting the green and digital transition

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The European Sea Ports Organisation (ESPO) welcomes the opportunity to participate in the public consultation on the draft Commission Regulation for a targeted review of the General Block Exemption Regulation to promote the green and digital transition.

European ports support the inclusion of Article 36a *Investment aid for recharging or refuelling infrastructure* and fully agree that this Article should be without prejudice to the possibility to grant aid for investments relating to alternative fuel infrastructure as part of port infrastructure under Article 56b.

In view of the application of Article 36a on the exemption from notification for recharging and refuelling infrastructure, ESPO would like to raise two concerns.

European ports consider it important to take a technology-neutral approach, rather than to single out hydrogen, in order to stimulate innovation and to make the revision future-proof, as well as to establish a coherent framework as to what has to be considered as “eligible cost” of all on-shore power supply infrastructure (OPS).

Technology-neutral approach

The development of alternative fuels and technologies for shipping is still in an early stage, but progress is expected. It is however still not clear which fuels and technologies will be the most prevalent in the shipping sector. The choice of fuel or technology will likely vary for different shipping segments and certain ships might even combine different fuels and technologies. This makes it very difficult for ports to foresee the infrastructure needs and to have a long-term perspective on their investments. Therefore, European ports consider the strictly limited inclusion of electricity and renewable or low-carbon hydrogen as too narrow.

ESPO suggests to enable the Revision to account for future developments in the sector by listing in addition **“other equivalent alternative zero-emission technologies”** and to broaden both the scope of the definition of “refuelling infrastructure” and the scope of Article 36a to this effect. The revised GBER should be aligned with the FuelEU maritime Regulation COM(2021)0562, once adopted, in order to ensure the coherence of EU legislation and ambitions.

Coherent framework for all on-shore power supply infrastructure

European ports strongly support the existing possibilities under Article 56b (GBER) to exempt public investments in OPS infrastructure from notification. While the development and deployment of new fuels and energy solutions for the maritime sector is the most important pillar for the greening of shipping, on-shore power supply is an important means to reduce pollution and emissions at berth.

The development of OPS infrastructure is also one of the main pillars of the revision of the Alternative Fuels Infrastructure Regulation COM (2021)559. In order to ensure coherence between the obligations to provide such infrastructure in ports and the financing possibilities, OPS infrastructure should be covered by the GBER, regardless whether the vessel uses the provided electricity at berth or at sea. In that regard, European ports welcome that Article 36a is without prejudice to the possibility to grant aid for investments relating to alternative fuel infrastructure as part of port infrastructure, under Articles 56b.

ESPO welcomes the specification of eligible costs in Article 36a(3) as it provides legal certainty. In view of establishing a coherent framework for recharging infrastructure in ports, ESPO regrets that this paragraph only applies to OPS infrastructure supplying vessels with electricity for transport purposes and not to OPS infrastructure supplying vessels with electricity for use at berth. European ports would therefore welcome a coherent approach in terms of eligible costs for recharging infrastructure covered by Article 56b and 36a.



The European Sea Ports Organisation (ESPO) represents the port authorities, port associations and port administrations of the seaports of 22 Member States of the European Union and Norway at political level. ESPO also has observer members in Albania, Iceland, Israel, Ukraine and the United Kingdom. ESPO is the principal interface between the European seaport authorities and the European institutions. In addition to representing the interests of European ports, ESPO is a knowledge network which brings together professionals from the port sector and national port organisations. ESPO was created in 1993.