

HT.5886 – Targeted Revision of the Risk Finance Guidelines

Estonia's opinion on the draft of Risk Finance Guidelines

- 1) Estonia in general supports the draft. We appreciate the Commission's work aimed at further simplification and clarification of the rules to facilitate the development of State aid schemes in support of risk finance.
- 2) We are not in favour of the removal of Section 2.1 "The market economy operator test" and we invite the Commission to retain these provisions in the Guidelines.
Although the Notice on the Notion of Aid (NOA) includes the explanations about application of MEIP in general, in our opinion there is no overlapping between NOA and 2014 Risk Finance Guidelines. As risk finance is a specific instrument, it is important to have clarifications about the application of MEIP directly in Guidance with the reference to the particular levels of intervention.
- 3) According to the point 27 (b) Risk finance aid will not be considered compatible with the internal market under the Guidelines if awarded to undertakings that have received illegal State aid which has not been fully recovered. The same wording is in the 2014 Guidelines. We propose to add that aid in question has to be "illegal and incompatible" and granted "by the same Member State" (the way it is stipulated in GBER Article 1 paragraph 4 point (a))
- 4) Point 30 (Definitions)
 - in subpoint 19 it is not clear what the time period shall be used as recently in the phrases "has recently been awarded" and "has recently received" ;

Tallinn,
16 July 2021