

EUROPEAN COMMISSION

PRESS RELEASE

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State aid: Commission invites comments on rules applying to small aid amounts (*de minimis* Regulation)

In the context of its state aid modernisation initiative (SAM) (see [IP/12/458](#)), the European Commission has launched a review of its Regulation applying to small aid amounts - the so-called "*de minimis*" Regulation (No 1998/2006). Under this Regulation, aid measures below €200 000 are outside the scope of EU state aid control and therefore do not require prior Commission approval (see [IP/06/1765](#) and [MEMO/06/482](#)). The first step of the review process is a public consultation, focused on public authorities' and stakeholders' experience with the current Regulation. Submissions can be made until 18 October 2012. In light of the contributions received, the Commission will prepare a revised draft regulation by the end of 2013.

Under the *de minimis* Regulation, public support measures amounting to less than €200 000 per company over a period of three fiscal years are deemed to have no potential to distort competition in the internal market and therefore do not need to be notified to the Commission for approval under EU state aid rules. The Regulation has been applied for more than five years, and has greatly simplified the treatment of aid measures that are too small to have an impact on competition and trade in the internal market.

The Commission will carry out a careful assessment as to whether the €200 000 threshold remains appropriate. The review will also strive to further improve the simplification brought about by the *de minimis* Regulation, in line with the SAM objective of focusing the Commission's work on the cases with the strongest impact on competition in the internal market.

The questionnaire is intended to gather public authorities' and other stakeholders' experience with the *de minimis* Regulation and factual information on its use. It also contains specific questions on the monitoring of *de minimis* aid granted in the Member States, such as the experience with central *de minimis* registers.

The questionnaire is available at:

http://ec.europa.eu/competition/consultations/2012_de_minimis/index_en.html

Background

On the basis of the [Enabling Regulation N° 994/98](#), the Commission adopted the first *de minimis* Regulation on 6 December 2000, according to which aid measures below a certain threshold are considered not to have an impact on competition and trade in the internal market and are exempted from the notification obligation laid out in Article 108(3) of the Treaty on the Functioning of the European Union (TFEU). On 1 January 2007, the *de minimis* ceiling was raised from €100 000 to €200 000 so as to take into account the economic developments in the internal market. The current *de minimis* Regulation expires on 31 December 2013.

On 8 May 2012 the Commission adopted a Communication on State Aid Modernisation (SAM, see [IP/12/458](#)), setting out the objectives of an ambitious reform of state aid control, which aims to contribute to the broader EU agenda to foster growth. In this context, state aid policy should focus on facilitating well-designed aid targeted at market failures and objectives of common European interest. The Commission also aims at focusing its enforcement on cases with the biggest impact on the internal market, streamlining rules and taking faster decisions. SAM identifies a number of actions with a view to implementing these objectives. The review of the *de minimis* Regulation is part of this initiative.

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