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PUBLIC VERSION

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**Subject: State Aid SA.62264 (2021/N) – Greece
COVID-19: Amendments of SA.58367, SA.58616 and SA.59033**

Excellency,

1. PROCEDURE

- (1) By electronic notification of 9 March 2021 Greece notified amendments to the following existing aid schemes (“the existing aid schemes”) which the Commission had already approved under the Temporary Framework for State aid measures to support the economy in the current COVID-19 outbreak (“the Temporary Framework”) ¹:
- (a) SA.58367: “COVID-19: Working capital for small and very small enterprises in the region of Central Macedonia”, which the Commission approved on 28 August 2020² and which was amended by SA.59818: “Modifications to SA.58367 COVID-19 - Working capital for small and very small enterprises in the region of Central Macedonia”, approved by the Commission on 4 December 2020³ and SA.61843: “COVID-19: Amendments of SA.56839, SA.58367, SA.58616 and SA.58368”, approved by the Commission on 19 February 2021⁴.

¹ Communication from the Commission - Temporary framework for State aid measures to support the economy in the current COVID-19 outbreak (OJ C 91I, 20.3.2020, p. 1), as amended by Commission Communications C(2020) 2215 (OJ C 112I, 4.4.2020, p. 1), C(2020) 3156 (OJ C 164, 13.5.2020, p. 3), C(2020) 4509 (OJ C 218, 2.7.2020, p. 3), C(2020) 7127 (OJ C 340I, 13.10.2020, p. 1) and C(2021) 564 (OJ C 34, 1.2.2021, p. 6).

² C(2020) 5972 final.

³ C(2020) 8791 final.

⁴ C(2021) 1264 final.

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- (b) SA.58616: “COVID-19: Working capital for micro and small enterprises in 12 Greek regions” which the Commission approved on 28 September 2020⁵ and which was amended by SA.59672: “Modifications to SA.58616 – COVID-19 - Working capital for micro and small enterprises in 12 Greek regions”, approved by the Commission on 4 December 2020⁶ and SA.61843: “COVID-19: Amendments of SA.56839, SA.58367, SA.58616 and SA.58368”, approved by the Commission on 19 February 2021⁷.
 - (c) SA.59033: “COVID-19: Aid for cultural activities in the Municipality of Athens”, which the Commission approved on 28 October 2020⁸ and which was amended by SA.61916 “COVID-19: Amendment of SA.59033”, which the Commission approved on 19 February 2021⁹.
- (2) Greece provided supplementary information on the notification on 16 March 2021.
 - (3) Greece exceptionally agrees to waive its rights deriving from Article 342 of the Treaty on the Functioning of the European Union (“TFEU”), in conjunction with Article 3 of Regulation 1/1958¹⁰ and to have this Decision adopted and notified in English.

2. DESCRIPTION OF THE NOTIFIED MEASURE

- (4) Section 3.1 of the Temporary Framework, as last amended, provides that the total nominal value of aid granted in the form of direct grants, tax and payment advantages or other forms such as repayable advances, guarantees, loans and equity shall not exceed the overall cap of EUR 1.8 million per undertaking active in sectors others than the primary production of agricultural products, fisheries and aquaculture (paragraph 22(a)).¹¹
- (5) Greece plans to modify the existing aid schemes by increasing the overall aid to EUR 1 800 000 per undertaking, rather than EUR 800 000, as set out in the initial Decisions approving the existing aid schemes.¹²
- (6) No other amendments are being made to the existing aid schemes SA.58367, SA.58616 and SA.59033.

⁵ C(2020) 6754 final.

⁶ C(2020) 8791 final.

⁷ C(2021) 1264 final.

⁸ C(2020) 7596 final.

⁹ C(2021) 1264 final.

¹⁰ Regulation No 1 determining the languages to be used by the European Economic Community, OJ 17, 6.10.1958, p. 385.

¹¹ All figures must be gross, that is, before any deduction of tax or other charge.

¹² All existing aid schemes provided for a maximum amount of aid much lower than EUR 800 000. Greece explained that the requested amendment serves the purpose of a higher cumulation threshold for aid received from different schemes.

3. ASSESSMENT

3.1. Lawfulness of the measure

- (7) By notifying the measure before putting it into effect, the Greek authorities have respected their obligations under Article 108(3) TFEU.

3.2. Existence of State aid

- (8) For a measure to be categorised as aid within the meaning of Article 107(1) TFEU, all the conditions set out in that provision must be fulfilled. First, the measure must be imputable to the State and financed through State resources. Second, it must confer an advantage on its recipients. Third, that advantage must be selective in nature. Fourth, the measure must distort or threaten to distort competition and affect trade between Member States.
- (9) The existing aid schemes constitute State aid within the meaning of Article 107 (1) TFEU for the reasons set out in the initial Decisions.¹³ The notified amendments do not affect that conclusion. The Commission therefore refers to the assessments of the initial Decisions and concludes that the existing aid schemes as modified by the notified amendments, constitute State aid in the meaning of Article 107 (1) TFEU.

3.3. Compatibility

- (10) The Commission assessed the existing aid schemes on the basis of Article 107 (3)(b) TFEU in light of the Temporary Framework and concluded that they were compliant with the compatibility conditions set out in that Framework.
- (11) The Commission refers to its analysis of compatibility as set out in the respective initial Decisions¹⁴ and their subsequent amendments¹⁵.
- (12) In light of point 22 (a) of the Temporary Framework, the Commission considers that the notified modifications to the existing aid schemes regarding the increase of the overall aid per undertaking to EUR 1 800 000 meet the conditions of the amended Temporary Framework and do not alter the conclusions reached by the Commission as to the compatibility of the schemes as set out in the initial Decisions (as amended).

¹³ See recitals (27) to (32) of the decision in case SA.58367; recitals (26) to (31) of the decision in case SA.58616 and recitals (33) to (38) of the decision in case SA.59033.

¹⁴ See recitals (33) to (41) of the decision in case SA.58367; recitals (32) to (40) of the decision in case SA.58616 and recitals (39) to (47) of the decision in case SA.59033.

¹⁵ See recitals (12) to (15) of the decision in the cases SA.59672 and SA.59818, recitals (10) to (12) of the decision in case SA.61843 and recitals (10) to (13) of the decision in the case SA.61916.

4. CONCLUSION

The Commission has accordingly decided not to raise objections to the notified amendments of the existing aid schemes SA.58367, SA.58616 and SA.59033 on the grounds that they are compatible with the internal market pursuant to Article 107(3)(b) of the Treaty on the Functioning of the European Union as interpreted by the Temporary Framework.

The decision is based on non-confidential information and is therefore published in full on the Internet site: <http://ec.europa.eu/competition/elojade/isef/index.cfm>.

Yours faithfully,

For the Commission

Margrethe VESTAGER
Executive Vice-President