Commission européenne/Europese Commissie, 1049 Bruxelles/Brussel, BELGIQUE/BELGIË - Tel. +32 22991111
faced by undertakings because of the outbreak, to ensure that the disruptions caused by the outbreak do not undermine the viability of the undertakings and thereby to preserve the continuity of economic activity during and after the outbreak.

(4) The Greek authorities explain that a series of government measures have been adopted late February 2020, in order to prevent the spread of the coronavirus and protect the economy from the relevant risks. On 25 February 2020, the Greek government published a legislative act with urgent measures for this purpose.

(5) As the virus spread to all regions of the country, the government decided to close all educational institutions, and ban all athletic, artistic activities and any type of public activities on a nationwide scale.

(6) The government also ordered the closure of all business operations that are considered of high risk for the spread of the virus, such as cinemas, theatres, museums, etc. Corrective measures have been continuously adapted, based on the recommendations of public health experts. These measures were gradually rescinded during the summer of 2020 based on the recommendations of the experts. However, similarly to other countries, restrictions on most sectors’ operation were introduced again early October 2020.

(7) The compulsory closure of many enterprises and the significant effect both in demand and supply by the restrictions took a severe toll on economic activity in Greece from March 2020 onwards. This had a serious impact on employment, consumption and production. The economy contracted at a drastic rate. The Ministry of Finance estimated that due to the first phase of the pandemic, more than 790,000 businesses with more than 1.2 million employees and monthly turnover of approximately EUR 8.3 billion were forced to close altogether or cease their activities, or suffered significant impact by the imposed restrictions and the economic downturn.

(8) The Greek authorities point out that the media sector is one of the sectors that have been significantly affected in connection with the government's measures against the spread of SARS-CoV-2 and the restrictions within the framework of emergency measures. These restrictive measures led to a limited or suspended function of businesses’ operations, which, in turn, had to introduce cuts into their advertisement spending. This resulted in significant reduction in media organisations’ advertisement revenues and income from circulation.

(9) The following table shows the downward trend in the potential beneficiaries’ turnover during the year 2020 in comparison to the previous year, according to data provided by the “Unified Journalists’ Supplementary Security Fund”.

<table>
<thead>
<tr>
<th>TYPE OF EMPLOYER</th>
<th>Year 2019 (€)</th>
<th>Year 2020 (€)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Newspapers</td>
<td>3.562.159,15</td>
<td>3.148.452,53</td>
</tr>
<tr>
<td>Magazines</td>
<td>1.061.490,39</td>
<td>783.628,94</td>
</tr>
<tr>
<td>Radios</td>
<td>857.147,32</td>
<td>680.200,12</td>
</tr>
<tr>
<td>Regional TVs</td>
<td>423.658,62</td>
<td>346.851,49</td>
</tr>
<tr>
<td>General Sum</td>
<td>5.904.455,48</td>
<td>4.959.133,08</td>
</tr>
</tbody>
</table>

Newspaper % Difference  -11,61%
Magazine % Difference   -26,18%
In order to mitigate the impact of the forced closures and other restrictions on the economic activity, employment and business viability of media operations, the Government and, particularly, the Secretariat General for Media and Communication of the Presidency of the Greek Government, adopted supporting measures, such as the present aid scheme, with the primary purpose of helping the affected sectors to maintain their operation.

Greece confirmed that aid under the measure is not conditioned on the relocation of a production activity or of another activity of the beneficiary from another country within the EEA to the territory of the Member State granting the aid. This is irrespective of the number of job losses that actually occurred in the initial establishment of the beneficiary in the EEA.

2.1. The nature and form of aid

The measure provides aid in the form of the State assuming the beneficiaries’ payment obligation towards a social security fund, either by paying the contribution directly to the fund (in lieu of the beneficiaries of the scheme), or by reimbursing payments already made by the scheme beneficiaries to the fund.

2.2. Legal basis

The legal basis for the measure is the “Decision of the Deputy Minister for finance, the Deputy Minister to the Prime Minister” on the basis of Article 50 (3) of Law No. 4779/2021.

2.3. Administration of the measure

The granting authority is the Secretariat General for Media and Communication as well as the Financial Services of the Presidency of the Greek Government.

2.4. Budget and duration of the measure

The estimated budget of the measure is EUR 20 000 000.

Aid may be granted under the measure as from the adoption of the Commission’ approval decision until no later than 31 December 2021.

The source of the aid is the Greek State’s national budget.

2.5. Beneficiaries

The beneficiaries of the measure are a) private publishers of national newspapers and magazines; b) private publishers of local and regional newspapers and

3 The form of aid is a partial or total reimbursement of the scheme’s beneficiaries and of the “Unified Journalists’ Supplementary Security Fund” (Greek abbreviation: “EDOEAP”) for mandatory payment by the scheme beneficiaries of fees into the Fund.
magazines; c) private companies that are regional content providers of digital terrestrial television; and d) radio stations.

(19) Beneficiaries must avoid plagiarism and respect intellectual property rights, as well as rules and standards relating to journalistic ethics and independence. Financial institutions are excluded as eligible final beneficiaries.

(20) Aid may not be granted under the measure to medium⁴ and large enterprises that were already in difficulty within the meaning of the GBER⁵ on 31 December 2019. Aid may be granted to micro and small enterprises that were in difficulty within the meaning of the GBER on 31 December 2019, if those enterprises, at the moment of granting the aid, are not subject to collective insolvency procedure under national law and they have not received rescue aid⁶ or restructuring aid.⁷

2.6. Sectoral and regional scope of the measure

(21) The measure is open to undertakings active in the national and regional press, in sector of media content provision, and in the radio segment in Greece. The scheme applies to the entire territory of Greece.

2.7. Basic elements of the measure

(22) The objective of the measure is to provide limited amounts of aid to support media undertakings in overcoming liquidity challenges due to decreased advertisement revenues that were caused by the COVID-19 outbreak and the resulting restrictions and official recommendations issued by the Greek authorities to limit the spread of COVID-19.

(23) The aid will be granted in the form of relief from the potential beneficiaries’ obligation to pay their contribution⁸ to the “Unified Journalists’ Supplementary Security Fund” (Greek abbreviation: “EDOEAP”) calculated on the basis of the reference period 2017 to 2020. Beneficiaries’ contribution obligation to the Fund is based on Article 6 ((1) (b) of Emergency Law 248/1967 (GG I 243) the amount of which depends on the beneficiaries’ turnover.

(24) The Greek authorities explained that the three-year period, which serves as basis for determining the aid amount is only used in the formula for a method of calculation of the financial relief, which is a function of the beneficiaries’ turnover. Hence, the scheme should not be viewed as compensating beneficiaries for costs in a time period when the COVID epidemic was not yet in existence.

(25) Any beneficiary of the scheme that have paid its contribution fully or partially to the Fund in the relevant time-period will be reimbursed by the Greek authorities. Beneficiaries who have not paid their contribution to the Fund will be exempted

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⁴ As defined in Annex I to the GBER.
⁵ As defined in Article 2(18) of the GBER.
⁶ Alternatively, if they have received rescue aid, they have reimbursed the loan or terminated the guarantee at the moment of granting of the aid under the notified measure.
⁷ Alternatively, if they have received restructuring aid, they are no longer subject to a restructuring plan at the moment of granting of the aid under the notified measure.
⁸ The legal basis for the contribution is Article 6 ((1) (b) of Emergency Law 248/1967 (GG I 243).
from the obligation to pay their contribution to the Fund. The Greek authorities will reimburse the Fund for any non-paid or partially paid obligation of the scheme’s beneficiaries.

(26) Eligibility assessment under the scheme will be carried out by the granting authorities in cooperation with the Fund with a view towards verifying the payment made in the reference period.

(27) The overall nominal value of the grants should not exceed EUR 1.8 million per undertaking; all figures must be gross, that is, before any deduction of tax or other charges.

2.8. Cumulation

(28) The Greek authorities confirm that if aid granted under the measure is cumulated with aid under de minimis Regulations9 or the GBER, the provisions and cumulation rules of those Regulations are respected.

(29) The Greek authorities confirm that aid granted under the measure may be cumulated with aid granted under other measures approved by the Commission under other sections of the Temporary Framework provided the provisions in those specific sections are respected.

(30) In particular, the Greek authorities confirm that if the beneficiary receives aid under the measure and aid under other measures approved by the Commission under section 3.1 of the Temporary Framework, the overall maximum cap per undertaking, as set out in point 22(a), as amended, will be respected.

2.9. Monitoring and reporting

(31) The Greek authorities confirm that they will respect the monitoring and reporting obligations laid down in section 4 of the Temporary Framework as amended, including the obligation to publish relevant information on each individual aid above EUR 100 000 granted under the measure on the comprehensive national State aid website or Commission’s IT tool within 12 months from the moment of granting10.

3. Assessment

3.1. Lawfulness of the measure

(32) By notifying the measure before putting it into effect11, the Greek authorities have respected their obligations under Article 108(3) TFEU.

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10 Referring to information required in Annex III to the GBER.

11 The draft text of the legal basis contains the statement that the Decision of the Greek authorities will only enter into effect on the date of notification of the approval of the scheme by the European Commission.
3.2. Existence of State aid

(33) 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.

(34) The measure is imputable to the State, since it is administered by the Secretariat General for Media and Communication as well as the Financial Services of the Presidency of the Greek Government (recital (13)). It is financed through State resources, since it is financed by public funds (recitals (24) and (15)).

(35) The measure confers an advantage on its beneficiaries in the form of direct grants, either by direct payments or by assuming obligations towards a social security institution (a fund) (recital (12)). The beneficiaries would not have had such advantage under normal market conditions.

(36) The advantage granted by the measure is selective, since it is awarded only to certain undertakings active in the affected sectors listed in recital 18.

(37) The measure is liable to distort competition, since it strengthens the competitive position of its beneficiaries. It also affects trade between Member States, since those beneficiaries are active in sectors in which intra-Union trade exists.

(38) In view of the above, the Commission concludes that the measure constitutes aid within the meaning of Article 107(1) TFEU. The Greek authorities do not contest that conclusion.

3.3. Compatibility

(39) Since the measure involves aid within the meaning of Article 107(1) TFEU, it is necessary to consider whether that measure is compatible with the internal market.

(40) Pursuant to Article 107(3)(b) TFEU the Commission may declare compatible with the internal market aid “to remedy a serious disturbance in the economy of a Member State”.

(41) By adopting the Temporary Framework on 19 March 2020, the Commission acknowledged (in section 2) that “the COVID-19 outbreak affects all Member States and that the containment measures taken by Member States impact undertakings”. The Commission concluded that “State aid is justified and can be declared compatible with the internal market on the basis of Article 107(3)(b) TFEU, for a limited period, to remedy the liquidity shortage faced by undertakings and ensure that the disruptions caused by the COVID-19 outbreak do not undermine their viability, especially of SMEs”.

(42) The measure aims at providing temporary limited amounts of aid to support media companies in Greece that suffer liquidity challenges caused by the COVID-19 outbreak and the national restrictions and official recommendations to limit the spread of COVID-19. By the measure, the Greek authorities seek to help media companies to continue their activities at a time when the normal functioning of markets is severely disturbed by the COVID-19 outbreak and that outbreak is
affecting the wider economy and leading to severe disturbances of the real economy of Member States.

(43) The measure will ensure liquidity and economic continuity in the media sector. Furthermore, the measure has been designed to meet the requirements of a specific category of aid ("Limited amounts of aid") described in section 3.1 of the Temporary Framework.

(44) The compatibility assessment of the measure is therefore based on Article 107(3)(b) TFEU, in light of sections 2 and 3.1 of the Temporary Framework.

(45) The Commission accordingly considers that the measure is necessary, appropriate and proportionate to remedy a serious disturbance in the economy of a Member State and meets all the conditions of the Temporary Framework. In particular:

- The aid takes the form of direct grants (recital (12)).
- The overall nominal value of the grants shall not exceed EUR 1.8 million per undertaking; all figures used must be gross, that is, before any deduction of tax or other charges (recital (27)). The measure therefore complies with point 22(a) of the Temporary Framework;
- Aid is granted under the measure on the basis of a scheme with an estimated budget as indicated in recital (15). The measure therefore complies with point 22(b) of the Temporary Framework;
- Aid may not be granted under the measure to medium and large enterprises that were already in difficulty on 31 December 2019 (recital 20). The measure therefore complies with point 22(c) of the Temporary Framework. Aid may be granted to micro and small enterprises that were in difficulty on 31 December 2019, if those enterprises, at the moment of granting the aid, are not subject to collective insolvency procedure under national law and they have not received rescue aid12 or restructuring aid13 (see recital (20)). The measure therefore complies with point 22(c)bis of the Temporary Framework;
- Aid will be granted under the measure no later than 31 December 2021 (recital (16)). The measure therefore complies with point 22(d) of the Temporary Framework.

(46) The Greek authorities confirm that the aid under the measure is not conditioned on the relocation of a production activity or of another activity of the beneficiary from another country within the EEA to the territory of the Member State granting the aid. This is irrespective of the number of job losses that actually occurred in the initial establishment of the beneficiary in the EEA (recital (11)).

(47) The Greek authorities confirm that the monitoring and reporting rules laid down in section 4 of the Temporary Framework will be respected (recital (31)). The Greek authorities further confirm that the aid under the measure may only be cumulated

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12 Alternatively, if they have received rescue aid, they have reimbursed the loan or terminated the guarantee at the moment of granting of the aid under the notified measure.

13 Alternatively, if they have received restructuring aid, they are no longer subject to a restructuring plan at the moment of granting of the aid under the notified measure.
with other aid, provided that the specific provisions in the sections of the Temporary Framework are respected and the cumulation rules of the relevant Regulations are respected (recitals (28)-(30)).

(48) The Commission therefore considers that the measure is necessary, appropriate and proportionate to remedy a serious disturbance in the economy of a Member State pursuant to Article 107(3)(b) TFEU since it meets all the relevant conditions of the Temporary Framework.

4. CONCLUSION

The Commission has accordingly decided not to raise objections to the notified aid on the grounds that it is compatible with the internal market pursuant to Article 107(3)(b) of the Treaty on the Functioning of the European Union.

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