



EUROPEAN COMMISSION

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PUBLIC VERSION

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Subject: State Aid SA.105829 (2023/N) – Greece
TCF: Aid for newspaper publishers (amendments to SA.104056)

Excellency,

1. PROCEDURE

- (1) By electronic notification of 5 January 2023, Greece notified amendments (the “notified amendments”) to the existing aid scheme (the “existing aid scheme”) under the Temporary Crisis Framework for State aid measures to support the economy following the aggression against Ukraine by Russia (the “Temporary Crisis Framework”) ⁽¹⁾. The Commission approved the existing aid scheme in case SA.104056 (2022/N) - *Greece TCF: Aid to newspaper publishers* ⁽²⁾ (the “initial decision”).

⁽¹⁾ Communication from the Commission on the Temporary Crisis Framework for State aid measures to support the economy following the aggression against Ukraine by Russia (OJ C 426, 9.11.2022, p. 1) This Temporary Crisis Framework (‘current Temporary Crisis Framework’) replaces the Temporary Crisis Framework adopted on 23 March 2022 (OJ 131 I, 24.3.2022, p. 1) as amended on 20 July 2022 (OJ C 280, 21.7.2022, p. 1) (‘previous Temporary Crisis Framework’). The previous Temporary Crisis Framework was withdrawn with effect from 27 October 2022.

⁽²⁾ Commission Decision C(2022)6860 of 23 September 2022 in case SA.104056 (OJ C 387/2022, 7.10.2022, p. 10).

Mr Nikos Dendias
Minister of Foreign Affairs
1st Vas. Sofias Av.
106 71 Athens
GREECE

- (2) 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 1/1958 ⁽³⁾ and to have this Decision adopted and notified in English.

2. DESCRIPTION OF THE NOTIFIED AMENDMENTS

- (3) The objective of the existing aid scheme is to remedy the liquidity shortage faced by undertakings that are directly or indirectly affected by the serious disturbance of the economy caused by the Russian aggression against Ukraine, the sanctions imposed by the EU or by its international partners, as well as by the economic counter measures taken so far by Russia.
- (4) Greece wishes to amend the existing aid scheme as follows: (i) the duration of the measure is extended until 31 December 2023 (originally the measure lasted until 31 December 2022); (ii) the ceiling of the total amount of aid under the measure is increased from EUR 500 000 to EUR 2 000 000 per undertaking.
- (5) Apart from the notified amendments, Greece confirms that no further amendments are proposed to the existing aid scheme and that all other conditions of that scheme remain unaltered. Greece also confirms that aid granted under section 2.1 of the previous Temporary Crisis Framework and aid granted under the same respective sections of the current Temporary Crisis Framework will not exceed the aid ceilings provided in the respective sections of the current Temporary Crisis Framework at any point in time.
- (6) The legal basis for the notified amendments is the Amended Joint Ministerial Decision on “Procedure and conditions for subsidy for the year 2022 of transport costs for the distribution of newspaper or magazine copies, as well as for the cost of printing paper of publishing companies publishing newspapers and magazines of local, regional and pan-Hellenic circulation, which were affected by the serious economic disturbance caused by the Russian attack on Ukraine and the sanctions imposed by the EU and international partners as well as the countermeasures taken, in accordance with the provisions of Article 81 of Law 4949/2022”. Article 1(5) of the Amended Joint Ministerial Decision explicitly sets out that no financial aid shall be granted to the beneficiaries under the amended scheme before the European Commission’s approval decision.
- (7) Aid may be granted under the existing aid scheme, as amended, as from the notification of the Commission’s decision approving the notified amendments.

3. ASSESSMENT

3.1. Lawfulness of the measure

- (8) By notifying the amendments before putting them into effect, the Greek authorities have respected their obligations under Article 108(3) TFEU.

⁽³⁾ Regulation No 1 determining the languages to be used by the European Economic Community (OJ 17, 6.10.1958, p. 385).

3.2. Existence of State aid

- (9) 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 be liable to affect trade between Member States.
- (10) The existing aid scheme constitutes State aid within the meaning of Article 107(1) TFEU for the reasons set out in recitals (21) to (26) of the initial decision. The notified amendments do not affect that conclusion. The Commission therefore refers to the respective assessment of the initial decision and concludes that the existing aid scheme, as amended, constitutes State aid within the meaning of Article 107(1) TFEU.

3.3. Compatibility

- (11) The existing aid scheme is compatible with the internal market pursuant to Article 107(3)(b) TFEU, since it meets the conditions of section 1 and section 2.1 of the Temporary Crisis Framework for the reasons set out in recitals (27) to (36) of the initial decision. The Commission therefore refers to the respective assessment of the initial decision. The Commission notes that that assessment remains valid although the Temporary Crisis Framework has in the meantime been replaced by the version referred to in recital (1) of this Decision, since the conditions of sections 1 and 2.1 of the previous Temporary Crisis Framework that are relevant for the initial decision have not been modified substantively in the current Temporary Crisis Framework ⁽⁴⁾.
- (12) The notified amendments do not affect the conclusion that the existing aid scheme is compatible with the internal market pursuant to Article 107(3)(b) TFEU. In particular:
 - (a) the notified amendments extend the duration of the scheme until 31 December 2023. This is in line with point 55 (c) of the current Temporary Crisis Framework;
 - (b) the notified amendments increase the ceiling of the aid amount per undertaking and provide that the overall aid does not exceed EUR 2 million per undertaking at any given point in time. This complies with point 55 (a) of the current Temporary Crisis Framework.
- (13) Apart from the notified amendments, Greece confirms that no further amendments are proposed to the existing aid scheme and that all other conditions of that scheme remain unaltered.

⁽⁴⁾ See in this regard Annex II (Correlation Table) to the Temporary Crisis Framework.

- (14) Greece confirms that, in accordance with point 84 of the Temporary Crisis Framework, overall, aid granted under sections 2.1 to 2.3 of the previous Temporary Crisis Framework and aid granted under the same respective sections of the current Temporary Crisis Framework will not exceed the aid ceilings provided in the respective sections of the current Temporary Crisis Framework at any point in time (see recital (4)).
- (15) The Commission therefore considers that the notified amendments are necessary, appropriate and proportionate to remedy a serious disturbance in the economy of a Member State pursuant to Article 107(3)(b) TFEU, since they meet all the relevant conditions of the Temporary Crisis Framework. The Commission therefore considers that the notified amendments do not alter the Commission's conclusion on the compatibility of the existing aid scheme in the initial decision.

4. CONCLUSION

The Commission has accordingly decided not to raise objections to the scheme, as amended, 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

