



EUROPEAN COMMISSION

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C(2013) 3068 final

Ms Laura BOLDRINI
President of the
Camera dei Deputati
Piazza Montecitorio
IT – 00100 ROMA

Dear President,

The Commission would like to thank the Camera dei Deputati for its Opinion on the Communication on State Aid Modernisation (SAM) {COM(2012) 209 final} and apologises for the delay in replying.

The Commission shares the view that State Aid Modernisation is an occasion to provide Member States and aid-granting authorities with guidance on the notion of aid, as well as on the understanding of the concepts of "advantage" or "selectivity". The Camera dei Deputati supports the concentration of public resources on the stimulation of growth and employment, the creation of new categories of aid exempted from notification (aids to culture, to cope with the damage caused by natural disasters, and to EU co-financed projects) as well as the simplification of rules and procedures.

The Commission shares these objectives and to this effect adopted on 5 December 2012, a proposal for a new Procedural Regulation¹ which would improve the handling of complaints and reinforce the efficiency of State aid procedures by ensuring that the Commission obtains complete and correct information from the market. On the same day, the Commission also adopted a proposal for a new Enabling Regulation² which would cut red tape for small and routine cases. In particular, the proposal for a new Enabling Regulation introduces new categories, including aid for culture and heritage conservation and to compensate damages caused by natural disasters.

The Camera dei Deputati also supports the codification of all the exemption regimes in specific Regulations. The Commission will revise the General Block Exemption Regulation (GBER), which provides for detailed exemption rules. Technical discussions and public consultations on the GBER review will take place in 2013. State Aid Modernisation is an opportunity to increase consistency between the GBER and the various guidelines based on Article 107(3), which provide guidance on the criteria the Commission applies to assess

¹ Proposal for a Council Regulation amending Regulation (EC) No 659/1999 laying down detailed rules for the application of Article 93 of the EC Treaty, COM(2012) 725

² Proposal for a Council Regulation amending Council Regulation (EC) No 994/98 of 7 May 1998, COM(2012)730 final

particular categories of aid. The objective is to simplify the legal framework and thereby increase legal certainty and reduce litigation.

Furthermore, the Camera dei Deputati suggests that the current ceiling for de minimis aid (€ 200 000 over any period of three fiscal years) should be maintained in order to avoid distortions arising from the uneven spending capacity of Member States' in times of crisis. For the same reason, the opportunity to introduce an aggregate cap per Member State in relation to GDP should be examined. The Commission envisages to clarify these issues in the context of the on-going revision of the de minimis Regulation.

Finally, as to the ex-ante compliance with State aid rule evaluation, in line with the ECOFIN Presidency conclusions of 13 November 2012, the Commission is convinced that it needs to be strengthened both at national and European level. The exclusive competence of assessing the compatibility of State aid measures would remain with the Commission, while national bodies can fulfil an important supportive function to ensure the legality of aid and promote better transparency and evaluation.

The Commission hopes that these explanations clarify the points raised by the Camera dei Deputati and looks forward to continuing our political dialogue in the future.

Yours faithfully

*Maroš Šefčovič
Vice-President*