General revision of the General Block Exemption Regulation (EU) No. 651/2014

**Targeted consultation**

**Questionnaire**

**DG COMP is assessing the potential for simplification and for increased legal certainty and consistency in EU State aid rules.**

**The review of the General Block Exemption Regulation (EU) No. 651/2014 (‘GBER’) is an opportunity to clarify and possibly adjust the scope of the GBER as regards its applicability to the fisheries and aquaculture sector and the sector of primary agricultural production (traditional farming activities).**

**The GBER only exceptionally applies to the sectors of primary agricultural production and fisheries and aquaculture (the scope is defined in Article 1(3)(a) and (b)), given that tailor-made Block Exemption Regulations exist for those sectors. This initiative concerns a revision of the GBER, not of the specific block exemption regulations applicable to agriculture, forestry, fisheries and aquaculture (Regulation (EU) 2022/2472 and Regulation (EU) 2022/2473).**

**The purpose of the present consultation is to collect evidence and views from public authorities responsible for State aid in the sectors of primary agricultural production, fisheries and aquaculture on this matter. The results of this targeted consultation will allow the Commission´ services to assess the need for amendments.**

**Target group:** The consultation is addressed to public authorities who prepare and submit State aid notifications and block exemptions, under the agricultural, forestry and fisheries State aid instruments.

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**Please provide the following information:**

|  |  |
| --- | --- |
| Member State  |  |

|  |  |  |  |
| --- | --- | --- | --- |
|  | national | Regional |  |
| You are a |  |  | authority |

1. **Have you been granting aid under the GBER to the sector of primary agricultural production and/or fisheries and aquaculture?**

|  |  |  |
| --- | --- | --- |
|  | Yes | No |
| Primary agricultural production |  |  |
| Fisheries/aquaculture |  |  |

1. **If so, which provision have you used?**

|  |  |  |
| --- | --- | --- |
|  | Primary agricultural production  | Fisheries/aquaculture |
| *Regional investment aid* (Article 14 GBER) |  |  |
| *Regional operating aid in outermost regions* (Article 15, paragraph 3) |  |  |
| *Aid for consultancy in favour of SMEs* (Article 18 GBER)\* |  |  |
| *Aid for costs incurred by SMEs participating in community-led local development (‘CLLD’) projects* (Article 19a GBER) |  |  |
| *Limited amounts of aid to SMEs benefitting from community-led local development (‘CLLD’) projects* (Article 19b GBER) |  |  |
| *Aid to microenterprises in the form of public interventions concerning the supply of electricity, gas or heat* (Article 19c GBER) |  |  |
| *Aid to SMEs in the form of temporary public interventions concerning the supply of electricity, gas or heat produced from natural gas or electricity to mitigate the impact of price increases following Russia’s war of aggression against Ukraine* (Article 19d GBER) |  |  |
| *Aid for costs incurred by undertakings participating in European Territorial Cooperation project* (Article 20 GBER) |  |  |
| *Limited amounts of aid to undertakings for participation in European Territorial Cooperation projects* (Article 20a GBER) |  |  |
| *Risk finance aid (for SMEs)* (Article 21 GBER) |  |  |
| *Risk finance aid to SMEs in the form of tax incentives for private investors who are natural persons* (Article 21a GBER) |  |  |
| *Aid for start-ups* (Article 22 GBER)\*\* |  |  |
| *Aid to alternative trading platforms specialised in SMEs* (Article 23 GBER)\*\* |  |  |
| *Aid for scouting costs* (Article 24 GBER)\*\* |  |  |
| *Aid for research and development projects* (Article 25 GBER) |  |  |
| *Innovation aid for SMEs* (Article 28 GBER)\* |  |  |
| *Training aid* (Article 31 GBER) |  |  |
| *Aid for the recruitment of disadvantaged workers in the form of wage subsidies* (Article 32 GBER) |  |  |
| *Aid for the employment of workers with disabilities in the form of wage subsidies* (Article 33 GBER) |  |  |
| *Aid for compensating the additional costs of employing workers with disabilities* (Article 34 GBER) |  |  |
| *Aid for compensating the costs of assistance provided to disadvantaged workers* (Article 35 GBER) |  |  |
| *Investment aid for environmental protection, including decarbonisation* (Article 36 GBER)\* |  |  |
| *Investment aid for recharging or refuelling infrastructure* (Article 36a)\* |  |  |
| *Investment aid for the acquisition of clean vehicles or zero-emission vehicles and for the retrofitting of vehicles* (Article 36b)\* |  |  |
| *Investment aid for energy efficiency measures other than in buildings* (Article 38 GBER)\* |  |  |
| *Investment aid for energy efficiency measures in buildings* (Article 38a GBER)\* |  |  |
| *Investment aid for energy efficiency projects in buildings in the form of financial instruments* (Article 39 GBER)\* |  |  |
| *Investment aid for the promotion of energy from renewable sources, of renewable hydrogen and of high-efficiency cogeneration* (Article 41 GBER)\* |  |  |
| *Operating aid for the promotion of electricity from renewable sources* (Article 42 GBER)\* |  |  |
| *Operating aid for the promotion of energy from renewable sources and of renewable hydrogen in small projects and renewable energy communities* (Article 43 GBER)\*  |  |  |
| *Aid in the form of reductions in taxes under Directive 2003/96/EC (Energy Taxation Directive)* (Article 44 GBER)\* |  |  |
| *Aid in the form of reductions in environmental taxes or parafiscal levies* (Article 44a GBER) |  |  |
| *Investment aid for the remediation of environmental damage, the rehabilitation of natural habitats and ecosystems, the protection or restoration of biodiversity and the implementation of nature-based solutions for climate change adaptation and mitigation* (Article 45 GBER)\* |  |  |
| *Investment aid for resource efficiency and for supporting the transition towards a circular economy* (Article 47 GBER)\* |  |  |
| *Investment aid for energy infrastructure* (Article 48 GBER)\*  |  |  |
| *Aid for studies and consultancy services on environmental protection and energy matters* (Article 49 GBER)\* |  |  |
| *Aid involved in financial products supported by the InvestEU Fund* (Article 56d to f. GBER) |  |  |

**\*Applicable only to aid granted in the sector of primary agricultural production**

**\*\*Applicable only to aid granted in the fisheries and aquaculture sector**

1. **Based on your experience, did you encounter difficulties in applying the relevant provisions of the GBER to the sectors of primary agricultural production and/or fisheries and aquaculture?**

|  |  |  |
| --- | --- | --- |
| Yes | No | I don’t know |
|  |  |  |

* If your answer is ‘yes’, please provide detailed information on the type of aid measures and on the difficulties encountered.

|  |
| --- |
| Maximum 3 000 characters |

1. **Based on your experience, which type of aid measures in the current GBER are functioning well for primary agricultural production and/or the fisheries and aquaculture sector and should therefore continue to be applicable?**

**Please provide detailed information on the type of aid measures and the reasons as to why they should continue to be applicable.**

|  |
| --- |
| Maximum 3 000 characters |

1. **Based on your experience, do you think that other aid measures, which are not applicable to the sectors of primary agricultural production and fisheries and aquaculture under the current GBER should be opened to those sectors?**

|  |  |  |
| --- | --- | --- |
| Yes | No | I don’t know |
|  |  |  |

* If your answer is ‘yes’, please provide detailed information on the type of aid measures and the reasons as to why they should be opened up to those sectors.

|  |
| --- |
| Maximum 3 000 characters |

1. **Under the current version of the GBER, there are specific aid measures, which apply to the fisheries and aquaculture sector but not to primary agricultural production leading to a difference in treatment between these sectors.**

**Do you agree with the following statements?**

|  |  |  |  |
| --- | --- | --- | --- |
|  | Agree | Disagree | I don’t know |
| *Aid for start-ups* (Article 22 GBER) is relevant for the fisheries and aquaculture sector:  |  |  |  |
| *Aid to alternative trading platforms specialised in SMEs* (Article 23 GBER) is relevant for the fisheries and aquaculture sector: |  |  |  |
| The scope for granting *Aid to alternative trading platforms specialised in SMEs* (Article 23 GBER) should be extended to primary agricultural production: |  |  |  |
| *Aid for scouting costs* (Article 24 GBER) is relevant for the fisheries and aquaculture sector: |  |  |  |
| The scope for granting *Aid for scouting costs* (Article 24 GBER) should be extended to primary agricultural production: |  |  |  |

* Please elaborate further on your choices if possible.

|  |
| --- |
| Maximum 1 500 characters |

1. **There are specific aid measures, which currently apply to the sector of primary agricultural production[[1]](#footnote-2) but do not apply to the fisheries and aquaculture sector.**

**Do you agree with the following statements?**

|  |  |  |  |
| --- | --- | --- | --- |
|  | Agree | Disagree | I don’t know |
| *Aid for consultancy in favour of SMEs* (Article 18 GBER) is relevant for the sector of primary agricultural production:  |  |  |  |
| The scope for granting *Aid for consultancy in favour of SMEs* (Article 18 GBER) should be extended to the fisheries and aquaculture sector: |  |  |  |
| *Innovation aid for SMEs* (Article 28 GBER) is relevant for the sector of primary agricultural production: |  |  |  |
| The scope for granting *Innovation aid for SMEs* (Article 28 GBER) should be extended to the fisheries and aquaculture sector: |  |  |  |
| *Investment aid for environmental protection, including decarbonisation* (Article 36 GBER) is relevant for the sector of primary agricultural production: |  |  |  |
| The scope for granting *Investment aid for environmental protection, including decarbonisation* (Article 36 GBER) should be extended to the fisheries and aquaculture sector: |  |  |  |
| *Investment aid for recharging or refuelling infrastructure* (Article 36a) is relevant for the sector of primary agricultural production: |  |  |  |
| The scope for granting *Investment aid for recharging or refuelling infrastructure* (Article 36a) should be extended to the fisheries and aquaculture sector: |  |  |  |
| *Investment aid for the acquisition of clean vehicles or zero-emission vehicles and for the retrofitting of vehicles* (Article 36b) is relevant for the sector of primary agricultural production: |  |  |  |
| The scope for granting *Investment aid for the acquisition of clean vehicles or zero-emission vehicles and for the retrofitting of vehicles* (Article 36b) should be extended to the fisheries and aquaculture sector:  |  |  |  |
| *Investment aid for energy efficiency measures other than in buildings* (Article 38 GBER) is relevant for the sector of primary agricultural production: |  |  |  |
| The scope for granting *Investment aid for energy efficiency measures other than in buildings* (Article 38 GBER) should be extended to the fisheries and aquaculture sector: |  |  |  |
| *Investment aid for energy efficiency measures in buildings* (Article 38a GBER) is relevant for the sector of primary agricultural production: |  |  |  |
| The scope for granting *Investment aid for energy efficiency measures in buildings* (Article 38a GBER) should be extended to the fisheries and aquaculture sector: |  |  |  |
| *Investment aid for energy efficiency projects in buildings in the form of financial instruments* (Article 39 GBER) is relevant for the sector of primary agricultural production: |  |  |  |
| The scope for granting *Investment aid for energy efficiency projects in buildings in the form of financial instruments* (Article 39 GBER) should be extended to the fisheries and aquaculture sector: |  |  |  |
| *Investment aid for the promotion of energy from renewable sources, of renewable hydrogen and of high-efficiency cogeneration* (Article 41 GBER) is relevant for the sector of primary agricultural production: |  |  |  |
| The scope for granting *Investment aid for the promotion of energy from renewable sources, of renewable hydrogen and of high-efficiency cogeneration* (Article 41 GBER) should be extended to the fisheries and aquaculture sector:  |  |  |  |
| *Operating aid for the promotion of electricity from renewable sources* (Article 42 GBER) is relevant for the sector of primary agricultural production: |  |  |  |
| The scope for granting *Operating aid for the promotion of electricity from renewable sources* (Article 42 GBER) should be extended to the fisheries and aquaculture sector:  |  |  |  |
| *Investment aid for the remediation of environmental damage, the rehabilitation of natural habitats and ecosystems, the protection or restoration of biodiversity and the implementation of nature-based solutions for climate change adaptation and mitigation* (Article 45 GBER) is relevant for the sector of primary agricultural production: |  |  |  |
| The scope for granting *Investment aid for the remediation of environmental damage, the rehabilitation of natural habitats and ecosystems, the protection or restoration of biodiversity and the implementation of nature-based solutions for climate change adaptation and mitigation* (Article 45 GBER) should be extended to the fisheries and aquaculture sector: |  |  |  |
| *Investment aid for resource efficiency and for supporting the transition towards a circular economy* (Article 47 GBER) is relevant for the sector of primary agricultural production: |  |  |  |
| The scope for granting *Investment aid for resource efficiency and for supporting the transition towards a circular economy* (Article 47 GBER) should be extended to the fisheries and aquaculture sector: |  |  |  |
| *Aid for studies and consultancy services on environmental protection and energy matters* (Article 49 GBER) is relevant for the sector of primary agricultural production: |  |  |  |
| The scope for granting *Aid for studies and consultancy services on environmental protection and energy matters* (Article 49 GBER) should be extended to the fisheries and aquaculture sector: |  |  |  |

1. **Please add any further comments or views on the future applicability of the GBER to the sectors of primary agricultural production and/or fisheries and aquaculture**

|  |
| --- |
| Maximum 3 000 characters |

1. Please note that the present list is not exhaustive. It only contains measures which in practice could be relevant for the primary agricultural production sector. For instance, undertakings could receive aid under Article 43 GBER (concerning operating aid for the promotion of renewable energy and renewable hydrogen), but only in their capacity of energy producers and not as primary agricultural producers. [↑](#footnote-ref-2)