

EN

E-002412/2024

Answer given by Executive Vice-President Ribera
on behalf of the European Commission
(10.1.2025)

1. There is no ‘precedence’ as such of the general *de minimis* Regulation¹ over the Services of General Economic Interest (SGEI) *de minimis* Regulation² or the SGEI Decision³. For amounts of aid below EUR 300 000 for any period of three years, the SGEI *de minimis* Regulation and the SGEI Decision can be applied provided that the aid measure is granted to undertakings providing an SGEI.

2. The SGEI *de minimis* Regulation presents a certain number of advantages compared to the general *de minimis* Regulation. Indeed, the ceiling included in the SGEI *de minimis* Regulation is higher than the one of the general *de minimis* Regulation (EUR 750 000 vs EUR 300 000 for any period of three years). The SGEI *de minimis* Regulation is therefore a good tool for Member States wishing to grant small amounts of aid to undertakings providing SGEIs.

The SGEI *de minimis* Regulation is however not the only instrument to support SGEI providers. Depending on the needs and the objective of the measure pursued, other legal provisions may be more appropriate. Indeed, if larger amounts of aid are to be granted, the SGEI Decision might be more appropriate. In particular for SGEIs meeting social needs, that Decision does not contain any ceiling for the compensations granted.

3. Certain Member States might limit their use of the general *de minimis* Regulation for budget constraints or policy reasons. The Commission cannot force the Member States to grant support under State aid rules.

¹ Commission Regulation (EU) 2023/2831 of 13 December 2023 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid (OJ L, 2023/2831, 15.12.2023, ELI: <http://data.europa.eu/eli/reg/2023/2831/oj>).

² Commission Regulation (EU) 2023/2832 of 13 December 2023 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid granted to undertakings providing services of general economic interest – (OJ L, 2023/2832, 15.12.2023, ELI: <http://data.europa.eu/eli/reg/2023/2832/oj>).

³ Commission Decision 2012/21/EU of 20 December 2011 on the application of Article 106(2) of the Treaty on the Functioning of the European Union to State aid in the form of public service compensation granted to certain undertakings entrusted with the operation of services of general economic interest (OJ L 7, 11.1.2012, ELI: [https://eur-lex.europa.eu/eli/dec/2012/21\(1\)/oj](https://eur-lex.europa.eu/eli/dec/2012/21(1)/oj)).