



Brussels, **XXX**
[...] (2013) **XXX**

Working document

COMMISSION REGULATION (EU) No .../..

of **XXX**

amending Regulation (EC) No 800/2008 as regards its period of application

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 108(4) thereof,

Having regard to Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 92 and 93 of the Treaty establishing the European Community to certain categories of horizontal State aid¹,

Having published a draft of this Regulation²,

Having consulted the Advisory Committee on State Aid,

Whereas:

- (1) Commission Regulation (EC) No 800/2008³ will expire on 31 December 2013.
- (2) With its Communication on EU State Aid Modernisation (SAM) of 8 May 2012⁴ the Commission launched a wider review of State aid rules. As a consequence, the adoption of a new general block exemption Regulation depends on the amendment of various other instruments, in particular Regulation (EC) No 994/98 and is closely interlinked with the parallel revision of State aid guidelines, such as those regarding regional aid, research and development and innovation, environmental aid, risk capital and broadband. Due to the wider review of State aid rules, the general block exemption Regulation will not be revised early enough to allow for adoption before its original expiry date.
- (3) In order to ensure a consistent approach across all State aid instruments, it is therefore appropriate to extend the period of application of Regulation (EC) No 800/2008 until 30 June 2014.
- (4) Regulation (EC) No 800/2008 should therefore be amended accordingly.
- (5) This Regulation shall enter into force on the day following that of its publication in the Official Journal of the European Union to allow for the extension of Regulation (EC) No 800/2008 before its original expiry date.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Advisory Committee on State Aid,

¹ OJ L 142, 14.5.1998, p. 1.

² OJ ...

³ Commission Regulation (EC) No 800/2008 of 6 August 2008 declaring certain categories of aid compatible with the common market in application of Articles 87 and 88 of the Treaty (OJ L 214, 9.8.2008, p. 3).

⁴ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, EU State Aid Modernisation (SAM), 8.5.2012, COM (2012) 209 final.

HAS ADOPTED THIS REGULATION:

Article 1

In Article 45 of Regulation (EC) No 800/2008, the second subparagraph is replaced by the following:

‘It shall apply until 30 June 2014’.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission
The President