



EUROPEAN COMMISSION

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**Subject: State Aid SA.62727 (2021/N) – Slovakia
COVID-19: Amendments of scheme SA.60212 (2020/N) - Aid for
professional sport clubs**

Excellency,

1. PROCEDURE

- (1) By electronic notification of 16 April 2021, Slovakia notified amendments of the aid scheme SA.60212 (2020/N)¹, Aid for professional sport clubs (“the existing aid scheme”) which the Commission had already approved (“the initial decision”) in light of the Temporary Framework for State aid measures to support the economy in the current COVID-19 outbreak, as amended (“the Temporary Framework”).²
- (2) Slovakia 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 1/1958³ and to have this Decision adopted and notified in English.

¹ Commission Decision of 15 January 2021, C(2021) 330, State Aid SA.60212 (2020/N) – Slovakia - COVID-19: Aid for professional sport clubs.

² Communication from the Commission - Temporary framework for State aid measures to support the economy in the current COVID-19 outbreak (OJ C 91I, 20.3.2020, p. 1), as amended by Commission Communications C(2020) 2215 (OJ C 112I, 4.4.2020, p. 1), C(2020) 3156 (OJ C 164, 13.5.2020, p. 3), C(2020) 4509 (OJ C 218, 2.7.2020, p. 3), C(2020) 7127 (OJ C 340I, 13.10.2020, p. 1) and C(2021) 564 (OJ C 34, 1.2.2021, p. 6).

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

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2. DESCRIPTION OF THE NOTIFIED AMENDMENTS

- (3) By Communication of 28 January 2021, the Commission amended the Temporary Framework for State aid measures to support the economy in the current COVID19 outbreak. In particular, section 3.1 of the Temporary Framework, as last amended, provides that aid may be granted if the overall aid does not exceed EUR 1.8 million per undertaking (point 22(a)) and if the aid is granted no later than 31 December 2021 (point 22(d)).
- (4) Slovakia has modified⁴ the existing aid scheme to reflect the latest amendments to section 3.1 of the Temporary Framework, as mentioned in recital (2), namely:
 - (a) To extend the date until which aid may be granted from 30 June 2021 until no later than 31 December 2021;
 - (b) To increase the maximum amount of aid to EUR 1.8 million per undertaking.
- (5) The validity of the aid scheme is also extended until 31 December 2021.
- (6) Furthermore, Slovakia will provide the Commission with a list of measures put in place on the basis of the approved scheme based on the Temporary Framework by 31 December 2021.
- (7) Slovakia confirms that no further amendments are proposed to the existing aid scheme.
- (8) Aid may be granted under the amended measure as from its approval by the Commission until no later than 31 December 2021⁵.

3. ASSESSMENT

3.1. Lawfulness of the measure

- (9) By notifying the amendments to the existing aid scheme before putting them into effect, the Slovak authorities have respected their obligations under Article 108(3) TFEU.

3.2. Existence of State aid

- (10) 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 affect trade between Member States.

⁴ The aid scheme is established in a special call for interest, adopted in accordance with section 20a of the Act No 310/2019 Coll. following a case of emergency situation in the Slovak republic. The amendment has brought about by Appendix 1k to the scheme.

⁵ In accordance with Appendix 1k (in particular, its section III.2), “*this Appendix shall enter into force on the date of publication of the above-mentioned scheme, as amended by Supplement No 1, in the Commercial Bulletin after its approval by the European Commission*”.

- (11) The existing aid scheme constitutes State aid within the meaning of Article 107(1) TFEU for the reasons set out in recitals (28) to (33) of the initial decision. The notified amendments do not alter that conclusion. The Commission therefore refers to the assessment of the initial decision and concludes that the existing aid scheme as modified by the notified amendments constitutes State aid in the meaning of Article 107(1) TFEU.

3.3. Compatibility

- (12) The Commission assessed the existing aid scheme on the basis of Article 107 (3)(b) TFEU in light of the Temporary Framework and concluded that the existing aid scheme fulfilled the compatibility conditions set out in the Temporary Framework.
- (13) The Commission refers to its analysis of compatibility as set out in the recitals (34) to (41) of the initial decision.
- (14) The Commission considers that the notified amendments to the existing aid scheme on the extension of the duration of the scheme and the increase in the maximum aid amount per undertaking (recital (3)) meet the conditions of the points 22(a) and 22(d) of the amended Temporary Framework and do not alter the conclusion reached by the Commission as to the compatibility of the scheme as set out in the initial decision.
- (15) Furthermore, Slovakia will provide the Commission with a list of measures put in place on the basis of approved schemes based on the Temporary Framework by 31 December 2021.
- (16) In view of the above, the Commission concludes that the notified amendments meet the conditions of the Temporary Framework and do not alter its conclusions on the compatibility of the existing aid scheme.

4. CONCLUSION

The Commission has accordingly decided not to raise objections to the notified amendments of the existing aid scheme on the grounds that they are 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

