

Journal of Laws

of the Republic of Poland

Warsaw, 20 August 2018

Item 1589

REGULATION OF THE MINISTER OF INVESTMENT AND ECONOMIC DEVELOPMENT ¹⁾

of 02 August 2018

amending the regulation on granting *de minimis* aid and state aid under the European Territorial Cooperation programmes for 2014-2020

Pursuant to Article 27 paragraph 4 of the Act of 11 July 2014 on the principles of implementation of the cohesion policy programmes, financed under the 2014-2020 financial perspective (Journal of Laws, item 1146, as amended) it is hereby ordered as follows:

§ 1. In the regulation of the Minister of Infrastructure and Development of 20 October 2015 on granting *de minimis* aid and state aid under the European Territorial Cooperation programmes for 2014-2020 (Dz.U. (Polish Journal of Laws) item 1760), the following amendments have been introduced:

1) in § 7, item 2 shall read as follows:

“2. State aid may not be granted nor paid out to an entrepreneur having the obligation to reimburse the state aid, resulting from the decision of the European Commission declaring the aid granted by the Republic of Poland incompatible with the law and the internal market.”;

2) in § 8,

a) item 9 shall read as follows:

“9. Entrepreneur, concluding the contract undertakes to meet the requirements set forth in Article 14(5) and (16) of regulation No 651/2014.”;

b) item 10 has been added:

“10. Regional investment aid in the fisheries and aquaculture sector may not be granted nor paid out to an entrepreneur in the case mentioned in Article 14(17) of regulation No 651/2014.”;

3) in § 19, item 3 shall read as follows:

“3. In the case of aid not exceeding the equivalent of EUR 2 million, the value of permissible aid for culture and heritage conservation may be determined in accordance with Article 53 paragraph 8 of Regulation No 651/2014.”;

4) in § 20, item 7 shall read as follows:

“7. In the case of aid not exceeding the equivalent of EUR 2 million, the value of permissible aid for sport and multifunctional recreational infrastructures may be determined in accordance with Article 55 paragraph 12 of Regulation No 651/2014.”;

¹⁾ The Minister of Investment and Economic Development manages the area of governmental administration – regional development, under § 1(2)(2) of the regulation of the President of the Council of Ministers of 10 January 2018 on the detailed scope of operation of the Minister of Investment and Economic Development (Dz. U. (Polish Journal of Laws) items 94 and 175).

5) after § 21, § 21a-§ 21c have been added:

“§ 21a. Aid for regional airports within the meaning of Article 2(153) of regulation No 651/2014 shall be granted:

- 1) on the terms and conditions stipulated in Article 56a of regulation No 651/2014;
- 2) to cover eligible costs mentioned in Article 56a(12) of regulation No 651/2014.

§ 21b. Aid for maritime ports within the meaning of Article 2(155) of regulation No 651/2014 shall be granted:

- 1) on the terms and conditions stipulated in Article 56b of regulation No 651/2014;
- 2) to cover eligible costs mentioned in Article 56b(2) of regulation No 651/2014, except the costs mentioned in Article 56b(3) of regulation No 651/2014.

§ 21c. Aid for inland ports within the meaning of Article 2(156) of regulation No 651/2014 shall be granted:

- 1) on the terms and conditions stipulated in Article 56c of regulation No 651/2014;
- 2) to cover eligible costs mentioned in Article 56c(2) of regulation No 651/2014, except the costs mentioned in Article 56c(3) of regulation No 651/2014.”.

§ 2.

1. To contracts under which *de minimis* aid or state aid was granted concluded before the entrance into force of this regulation, provisions in force to that date are applied.

2. To applications for granting *de minimis* aid or state aid filed before the day of the entrance into force of this regulation, provisions of the amended regulation in § 1 are applied in the wording introduced by this regulation.

3. Applications mentioned in (2) that require supplementing to the extent that arises from the provisions of the amended regulation in § 1 in the wording introduced by this regulation are supplemented on request of the entity granting the *de minimis* aid or state aid, by the deadline indicated by that entity, which is no shorter than 14 days of receiving such a request by the applicant.

§ 3. Regulation shall enter into force on the day following the day of its publication.

Minister of Investment and Economic Development: *J. Kwieciński*