



7. marts 2023

Response by the Danish Government to the European Commission's draft for the implementing regulation for the foreign subsidies

The Danish Government appreciates the opportunity to comment on the Commission's draft for the implementing regulation for the foreign subsidies.

The Danish Government overall supports the regulation on foreign subsidies as it introduces the necessary supplementary tool to handle unfair competition in the Single Market without being able to be abused to protectionism. This is highly important, as EU openness to international trade and investments are preconditions for pursuing our strategic autonomy and competitiveness.

As highlighted in the negotiations it is important that the regulation does not put unnecessary administrative burden on companies. Therefore, we have the following comments for the procedural rules:

As regards the concept of 'financial contributions' there is a need for more clarity in terms of which types of transactions are covered by this term, so that companies are given the best possible conditions to meet the reporting requirement. However, it should not have consequences for the enforcement of the regulation, as it is important to handle unfair competition.

The Commission should also consider effective ways on how companies can handle documents (e.g. looking at possibilities to handle information at an aggregate level). In this regard, it is important the Commission also carefully consider how to protect companies' sensitive information. Especially in view of the fact that the companies are required to submit information on behalf of his sub-supplier(s).

In order to simplify the notifications, it might be effective to look at simplified procedures for transactions under EUR 4 million over any consecutive period of three years.