



Brussels, 31.7.2025
C(2025) 5438 final

COMMISSION IMPLEMENTING DECISION

of 31.7.2025

**amending Implementing Decision C(2024) 5186 of 19 July 2024 on the authorisation of
the disbursement of the fourth instalment of the non-repayable support for Spain**

(Only the Spanish text is authentic)

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amending Implementing Decision C(2024) 5186 of 19 July 2024 on the authorisation of the disbursement of the fourth instalment of the non-repayable support for Spain

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility¹, and in particular Article 24(5) thereof,

Whereas:

- (1) According to Article 4(2) of Regulation (EU) 2021/241, the specific objective of the Recovery and Resilience Facility is to provide Member States with financial support with a view to achieving the milestones and targets of reforms and investments as set out in their recovery and resilience plans.
- (2) Council Implementing Decision of 15 July 2021 on the approval of the assessment of the recovery and resilience plan for the Kingdom of Spain² (the ‘Council Implementing Decision’) provides that the Union is to release instalments in accordance with the Financing Agreement conditional on a decision by the Commission, taken in accordance with Article 24(5) of Regulation (EU) 2021/241, that Spain has satisfactorily fulfilled the relevant milestones and targets identified in relation to the implementation of the recovery and resilience plan.
- (3) On 20 December 2023, Spain submitted a request for payment, accompanied by a management declaration and a summary of audits. The request concerned the fourth instalment of the non-repayable support. Pursuant to Article 24(3) of Regulation (EU) 2021/241, the Commission assessed on a preliminary basis whether the relevant milestones and targets set out in the Council Implementing Decision had been satisfactorily fulfilled.
- (4) The Commission made a positive preliminary assessment of 60 out of 61 relevant milestones and targets related to the non-repayable support. On that basis, the Commission by means of Implementing Decision C(2024) 5186 of 19 July 2024 authorised the disbursement of EUR 11 277 404 486 of non-repayable support.
- (5) Following the procedure provided for by Article 24(6) of Regulation (EU) 2021/241, the Commission established that target 201 “Budget committed to Agents of Change Program” had not been satisfactorily fulfilled. On that basis, the Commission by

¹ OJ L 57, 18.2.2021, p. 17.

² ST 10150/21; ST 10150/21 ADD 1 REV 1 as amended by ST 13695/23 REV 1; ST 13695/23 ADD 1 REV 1, ST 9303/24; ST 9303/24 ADD 1, ST 17099/24; ST 17099/24 ADD 1, ST 8053/25; ST 8053/25 ADD 1 and ST 9583/25; ST 9583/25 ADD 1; ST 9583/25 ADD 1 COR 1; ST 10408/25.

means of Implementing Decision C(2024) 5185 of 19 July 2024 suspended EUR 158 127 095 from the disbursement of the fourth instalment of the non-repayable support. Pursuant to Article 24(6) of Regulation (EU) 2021/241, the Commission determined the suspended amount by applying the methodology for the determination of payment suspension under the Recovery and Resilience Facility Regulation explained in its Communication of 21 February 2023³.

- (6) On 20 December 2024, Spain presented additional justification related to target 201 “Budget committed to Agents of Change Program”.
- (7) On the basis of the additional justification provided, the Commission made a positive preliminary assessment of the satisfactory fulfilment of target 201 “Budget committed to Agents of Change Program”.
- (8) Target 201 provides that at least 30 % of the budget EUR 300 000 000 is to be committed, devoted to SMEs in ‘Agents of Change Programme’. The evidence provided by the Kingdom of Spain demonstrates that EUR 97 128 000, or otherwise 32.38% of the total budget of EUR 300 000 000 was committed, devoted to SMEs. The Council Implementing Decision required the use of the ‘Agents of Change’ Programme for the fulfilment of the target. Instead, Spain has used the ‘Kit Consulting’ Programme for the fulfilment of the target. Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, the Programme’s purpose and scope are substantially equivalent to those of the ‘Agents of Change’ Programme. As of this, the minimal substantive deviation does not compromise the achievement of the target 7. On the basis of the due justification provided, the target should be considered as satisfactorily fulfilled.
- (9) In accordance with Article 24(4) of Regulation (EU) 2021/241, the Commission provided its findings to the Economic and Financial Committee asking for its opinion on the satisfactory fulfilment of the relevant target. In accordance with Article 25(4) of that Regulation, the Commission provided the competent committee of the European Parliament with an overview of its preliminary findings concerning the satisfactory fulfilment of the relevant target. The Economic and Financial Committee agreed with the Commission on the positive preliminary assessment and was of the opinion that Spain has satisfactorily fulfilled the target associated with the payment request. The Commission has taken the opinion of the Economic and Financial Committee into account for its assessment.
- (10) Following the fully positive assessment concerning the Kingdom of Spain’s payment request, in accordance with Article 24(5) of Regulation (EU) 2021/241, the disbursement of the financial contribution for the fourth instalment of the non-repayable support, for an additional amount of EUR 158 127 095, should be authorised.
- (11) In accordance with Article 2(3) of the Council Implementing Decision, as specified in the Financing Agreement, the pre-financing of the financial contribution shall be cleared by being proportionally deducted against the payment of the instalments. As Spain received EUR 10 079 975 332 of the financial contribution as pre-financing, an amount of EUR 1 414 396 366 of the payment of the fourth instalment should be

³ Communication from the Commission to the European Parliament and the Council of 21 February 2023 ‘Recovery and Resilience Facility: two years on A unique instrument at the heart of the EU’s green and digital transformation’ COM (2023) 99 final.

utilised to clear the pre-financing, of which EUR 250 284 532 to clear the pre-financing for the REPowerEU chapter. Given that EUR 1 394 838 518 was utilised to clear the pre-financing from the payment to Spain authorised by Implementing Decision C(2024) 5186 of 19 July 2024, an additional EUR 19 557 848 should be utilised to clear the pre-financing, of which EUR 3 460 859 to clear the pre-financing for the REPowerEU chapter. As a result, an additional net payment to be provided to Spain should amount to EUR 138 569 247.

- (12) This Decision should be without prejudice to procedures relating to distortions of the operation of the internal market that may be undertaken, in particular under Articles 107 and 108 of the Treaty on the Functioning of the European Union. It does not override the requirement for Member States to implement the measures in accordance with Union and national law and, in particular, to notify instances of potential State aid to the Commission under Article 108 of the Treaty on the Functioning of the European Union.
- (13) Commission Implementing Decision C(2024) 5186 of 19 July 2024 on the authorisation of the disbursement of the fourth instalment of the non-repayable support for Spain should therefore be amended accordingly.
- (14) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 35(1) of Regulation (EU) 2021/241,

HAS ADOPTED THIS DECISION:

Article 1

Commission Implementing Decision C(2024) 5186 of 19 July 2024 on the authorisation of the disbursement of the fourth instalment of the non-repayable support for Spain is amended as follows:

- (1) Article 1 is replaced by the following:

“Article 1

Authorisation of the disbursement of the non-repayable support

The disbursement of the fourth instalment of the non-repayable support as laid down in Section 2(3)(3.3) of the Annex to the Council Implementing Decision of 15 July 2021 on the approval of the assessment of the recovery and resilience plan for Spain for an amount of EUR 11 435 531 581 is authorised.

In accordance with the Financing Agreement concluded pursuant to Article 23(1) of Regulation (EU) 2021/241 between the Commission and the Kingdom of Spain, EUR 1 414 396 366 shall be utilised to clear the pre-financing of the financial contribution. EUR 10 021 135 215 shall be provided to Spain by means of payment to the bank account indicated in the Financing Agreement.”

Article 2
Addressee

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 31.7.2025

For the Commission
Valdis DOMBROVSKIS
Member of the Commission