COMMISSION IMPLEMENTING DECISION

of 15.4.2024

on the authorisation of the disbursement of the second instalment of the non-repayable support for Denmark

(Only the Danish text is authentic)
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THE EUROPEAN COMMISSION,

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


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.

Council Implementing Decision of 13 July 2021 on the approval of the assessment of the recovery and resilience plan for Denmark (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 Denmark has satisfactorily fulfilled the relevant milestones and targets identified in relation to the implementation of the recovery and resilience plan.

(2) On 21 December 2023, Denmark submitted a request for payment, accompanied by a management declaration and a summary of audits. The request concerned the second 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. For the purpose of this assessment, the operational arrangements concluded between the Commission and Denmark in accordance with Article 20(6) of Regulation (EU) 2021/241, were taken into account.

(3) The Commission made a positive preliminary assessment of the satisfactory fulfilment of all 18 relevant milestones and targets related to the non-repayable support and, in accordance with Article 24(4) of Regulation (EU) 2021/241, provided its findings to the Economic and Financial Committee asking for its opinion on the satisfactory fulfilment of the relevant milestones and targets. In accordance with Article 25(4) of Regulation (EU) 2021/241.

2 ST 10154/21; ST 10154/21 ADD1 as amended by ST 14473/23; ST 14473/23 ADD1.
3 Recovery and Resilience Facility Operational arrangements between the European Commission and Denmark entered into force on 21 February 2024.
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 milestones and targets. The Economic and Financial Committee agreed with the Commission’s positive preliminary assessment and considered that Denmark has satisfactorily fulfilled all 18 milestones and targets associated with the payment request. The Commission has taken the opinion of the Economic and Financial Committee into account for its assessment.

(4) Section 2(3)(3.2) of the Annex to the Council Implementing Decision provides the relevant milestones and targets that are to be satisfactorily fulfilled for the second instalment of the non-repayable support for an amount of EUR 509 574 078.

(5) Milestone 4 provides for the implementation of digital questionnaires on pneumococcus, influenza and pregnancy in an application for patients and general practitioners. The evidence provided by Denmark demonstrates that the digital questionnaires were implemented in the application and that they allow general practitioners to ask patients to fill out digital questionnaires on pneumococcus, influenza and pregnancy and thus quickly stratify patients in relation to vaccinations and to other medical conditions. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.

(6) Target 16 provides that the Danish Environmental Protection Agency receives and approves at least four project applications for the rehabilitation of an industrial site or contaminated land. The evidence provided by Denmark demonstrates that the Danish Environmental Protection Agency received and approved six project applications, in line with the requirements of the target. On the basis of the due justification provided, the target should be considered as satisfactorily fulfilled.

(7) Milestone 23 provides for the completion of the annual application rounds for a subsidy scheme to achieve energy savings in the industry. The evidence provided by Denmark demonstrates that all application rounds for the subsidy scheme are completed and funds allocated to achieve energy savings in the industry. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.

(8) Target 42 provides that at least 36 000 old diesel cars are scrapped due to the raised scrapping premium. The evidence provided by Denmark demonstrates that more than 36 000 old diesel cars were scrapped due to the raised scrapping premium in 2021, whereby more than 17 000 old diesel cars were scrapped due to the regular premium and an additional 19 763 old diesel cars due to the higher scrapping premium. On the basis of the due justification provided, the target should be considered as satisfactorily fulfilled.

(9) Target 47 provides that information campaigns regarding transportation congestion and car sharing are exposed at least 30 000 000 times to a real-life person. The evidence provided by Denmark demonstrates that the campaigns have been exposed at least 30 000 000 times to a real-life person through a wide range of media, including press, television and social media. The campaigns have informed the general public about problems related to transportation waste and created awareness of the benefits from car sharing and carpooling. On the basis of the due justification provided, the target should be considered as satisfactorily fulfilled.

(10) Milestone 54 provides for the adoption of a new “Digital Strategy” in the Finance Act 2022 and of the related implementation plan. The evidence provided by Denmark
demonstrates that a new Digital Strategy has been adopted in May 2022 and that it addresses the main challenges identified by the Digital Partnership, the previous expert body working on digital policies, as well as that the implementation plan has been adopted. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.

(11) Milestone 61 provides for the adoption of a new National Cybersecurity strategy. The evidence provided by Denmark demonstrates that a new National Cybersecurity strategy was adopted by Denmark in December 2021, in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.

(12) Target 62 provides that at least 3500 households and/or businesses are covered with an internet connection speed of at least 100 megabits per second which did not have such a connection before. The evidence provided by Denmark demonstrates that at least 3500 households and/or businesses have been covered by broadband network ensuring an internet connection speed of at least 100 megabits per second, in line with the requirements of the target. On the basis of the due justification provided, the target should be considered as satisfactorily fulfilled.

(13) Target 65 provides for the selection of at least one public-private research partnership on carbon capture and storage or use of CO2. The evidence provided by Denmark demonstrates that one public-private partnership on carbon capture and storage or use of CO2 has been selected through an open call, in line with the requirements of the target. On the basis of the due justification provided, the target should be considered as satisfactorily fulfilled.

(14) Target 66 provides that at least one public-private research partnership on carbon capture and storage or use of CO2 has been established and has received funding from Innovation Fund Denmark. The evidence provided by Denmark demonstrates that one public-private research partnership on carbon capture and storage or use of CO2 has been selected and has received funding, in line with the requirements of the target. On the basis of the due justification provided, the target should be considered as satisfactorily fulfilled.

(15) Target 68 provides for the selection of at least one public-private research partnerships on green fuels for transport and industry. The Commission has identified a clerical error in the text of the Council Implementing Decision and has undertaken the assessment on a revised basis. The evidence provided by Denmark demonstrates that one public-private partnership on green fuels for transport and industry has been selected through an open call, in line with the revised requirements of the target. On the basis of the due justification provided, the target should be considered as satisfactorily fulfilled.

(16) Target 69 provides that at least one public-private partnership on green fuels for transport and industry has been established and received funding from Innovation Fund Denmark. The Commission has identified a clerical error in the text of the Council Implementing Decision and has undertaken the assessment on a revised basis. The evidence provided by Denmark demonstrates that one public-private partnership has been established and received funding, in line with the revised requirements of the target. On the basis of the due justification provided, the target should be considered as satisfactorily fulfilled.
(17) Target 71 provides for the selection of at least one public-private research partnerships on climate- and environment friendly agriculture and food production. The evidence provided by Denmark demonstrates that one public-private partnership on climate- and environment friendly agriculture and food production has been selected through an open call, in line with the requirements of the target. On the basis of the due justification provided, the target should be considered as satisfactorily fulfilled.

(18) Target 72 provides that at least one public-private research partnership on climate- and environment friendly agriculture and food production has been established and has received funding from Innovation Fund Denmark. The evidence provided by Denmark demonstrates that one public-private research partnership on climate- and environment friendly agriculture and food production has been selected and has received funding, in line with the requirements of the target. On the basis of the due justification provided, the target should be considered as satisfactorily fulfilled.

(19) Target 74 provides for the selection of at least one public-private research partnerships on circular economy focusing on the reuse and reduction of plastic and textile waste. The evidence provided by Denmark demonstrates that one public-private partnership on circular economy focusing on the reuse and reduction of plastic and textile waste has been selected through an open call, in line with the requirements of the target. On the basis of the due justification provided, the target should be considered as satisfactorily fulfilled.

(20) Target 75 provides that at least one public-private research partnership on circular economy focusing on reuse and reduction of plastic and textile waste has been established and has received funding from Innovation Fund Denmark. The evidence provided by Denmark demonstrates that one public-private research partnership on circular economy focusing on reuse and reduction of plastic and textile waste has been selected and has received funding, in line with the requirements of the target. On the basis of the due justification provided, the target should be considered as satisfactorily fulfilled.

(21) Milestone 92 provides for the establishment of a functional and operational repository system for monitoring the implementation of the Recovery and Resilience Plan. The evidence provided by Denmark demonstrates that a functional and operational repository system has been established and a complete and reliable data set collected and stored in accordance with Article 22(2)(d)(i) to (iii) of Regulation EU 2021/241 was submitted, in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.

(22) Milestone 93 provides for the adoption of an anti-fraud and anti-corruption strategy specific to the Recovery and Resilience Facility by the Ministry of Finance and the adoption of action plans related to the anti-fraud and anti-corruption strategy by the Ministry of Finance and implementing bodies. The evidence provided by Denmark demonstrates that the Ministry of Finance has adopted an anti-fraud and anti-corruption strategy and that the Ministry of Finance as well as implementing bodies have adopted an action plan related to the anti-fraud and anti-corruption strategy. 12 action plans covering all 20 implementing bodies were adopted and set out the detailed timeline of how the strategy is to be introduced into their internal control systems, in line with the requirement of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.

(23) Furthermore, the Kingdom of Denmark has also confirmed that previously satisfactorily fulfilled milestones and targets have not been reversed.
(24) Following the fully positive assessment concerning the Kingdom of Denmark’s payment request, in accordance with Article 24(5) of Regulation (EU) 2021/241, the disbursement of the financial contribution for the second instalment of the non-repayable support should be authorised.

(25) 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 Denmark received EUR 241 030 448 of the financial contribution as pre-financing, an amount of EUR 71 729 918 of the payment should be utilised to clear the pre-financing, of which EUR 15 672 251 to clear the pre-financing for the REPowerEU chapter. Additionally, in accordance with Article 13(3) of Regulation (EU) 2021/241 and Article 5 of the Financing Agreement, this payment shall also be reduced to offset the excess amount of pre-financing of EUR 15 892 727.

(26) 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.

(27) 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**

*Authorisation of the disbursement of the non-repayable support*

The disbursement of the second instalment of the non-repayable support as laid down in Section 2(3)(3.2) of the Annex to the Council Implementing Decision of 13 July 2021 on the approval of the assessment of the recovery and resilience plan for Denmark for an amount of EUR 509 574 078 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 Denmark, EUR 87 622 645 shall be utilised to clear the pre-financing of the financial contribution and offset the excess amount of pre-financing paid. EUR 421 951 433 shall be provided to Denmark by means of payment to the bank account indicated in the Financing Agreement.

**Article 2**

*Addressee*

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 15.4.2024

*For the Commission*

*Paolo GENTILONI*

*Member of the Commission*