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Proposal for a

COUNCIL IMPLEMENTING DECISION

amending Implementing Decision (EU) (ST 10159/21 INIT; ST 10159/21 ADD 1; ST 10159/21 COR 1) of 13 July 2021 on the approval of the assessment of the recovery and resilience plan for Austria

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THE COUNCIL OF THE EUROPEAN UNION,

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 Facility[1], and in particular Article 20(1) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) Following the submission of the national recovery and resilience plan ('RRP') by Austria on 30 April 2021, the Commission has proposed its positive assessment to the Council. The Council approved the positive assessment by means of the Council Implementing Decision of 13 July 2021[2]. That Council Implementing Decision was amended on 9 November 2023[3].

(2) On 21 November 2024, Austria made a reasoned request to the Commission to make a proposal to amend the Council Implementing Decision of 13 July 2021 in accordance with Article 21(1) of Regulation (EU) 2021/241 on the grounds that the RRP is partially no longer achievable because of objective circumstances. On that basis, Austria has submitted an amended RRP.

Amendments based on Article 21 of Regulation (EU) 2021/241

(3) The amendments to the RRP submitted by Austria because of objective circumstances concern 18 measures.

(4) Austria has explained that three measures have been amended to implement better alternatives in order to achieve the original ambition of the measure. This concerns milestone 1 and the description of measure 1.A.1. (Renewable Heating Law) under component 1 Sustainable Recovery, milestones 111, 112 and target 113 and the description of measure 4.A.3. (Development of the electronic mother-child pass platform including the interfaces to the early help networks), and milestones 152 and

[1] OJ L 57, 18.2.2021, p. 17.
[2] ST 10159/21 INIT, ST 10159/21 ADD 1; ST 10159/21 COR 1.
[3] ST 14472/23 INIT; ST 14472/23 ADD 1.

153 and the description of measure 4.D.2. (Increase in effective retirement age) all under component 4 Just Recovery. On this basis Austria has requested that the description of the aforementioned measures, and the aforementioned milestones and targets be amended. The Council Implementing Decision of 13 July 2021 should be amended accordingly.

(5) Austria has explained that 15 measures have been amended to implement a better alternative allowing to reduce the administrative burden, whilst still reaching the objectives of the respective measure. This concerns milestones 22 and 23 and the description of measure 1.B.5. (Construction of new railways and electrification of regional railways) under component 1 Sustainable Recovery, milestone 45 under measure 2.A.1 (Set-up of Platform Internet-infrastructure Austria (PIA) 2030) under component 2 Digital Recovery; the description of the measure 2.C.1 (Proposed legislation for Once Only: Amendment Business Service Portal Act) and target 61 under measure 2.C.2. (Digitalisation Fund Public Administration) under component 2 Digital Recovery, milestone 81 under measure 3.A.4 ((Digital) Research Infrastructures) and target 89 under measure 3.B.2 (Promoting re-skilling and up-skilling) both under component 3 Knowledge-based Recovery, targets 114, 115, 116 and the description of measure 4.A.4. (National roll-out of 'early aid' for socially disadvantaged pregnant women, their young children and families), target 123 and the description of measure 4.B.3. (Investment in climate-friendly town centres), milestone 132 of investment 4.B.4 (Investment in the implementation of Community Nursing), milestone 140 and the description of measure 4.C.4. (Digitalisation Wave Cultural Heritage), the description of measure 4.D.1. (Spending review focusing on green and digital transformation) milestones 154 and 155 and the description of measure 4.D.3. (Pension Splitting), milestone 157 and the description of measure 4.D.4 (Climate action governance framework) and the description of measures 4.D.8. (Start-up package) and 4.D.11 (Liberalisation of business regulations) all under component 4 Just Recovery. On this basis, Austria has requested to remove unnecessary background information or procedural elements that do not contribute to the objectives of the measures, to clarify that certain elements relate to the objectives or the context of the measures, and to simplify descriptions of measures or milestones and targets that cause an unjustified administrative burden for reaching the objectives of the respective measures. The Council Implementing Decision of 13 July 2021 should be amended accordingly.

(6) The Commission considers that the reasons put forward by Austria justify the amendment(s) pursuant to Article 21(2) of Regulation (EU) 2021/241, and the Council Implementing Decision of 13 July 2021 should be amended accordingly.

Corrections of clerical errors

(7) 19 clerical errors have been identified in the text of the Council Implementing Decision, affecting eight milestones and targets and 22 measures under five components. The Council Implementing Decision should be amended to correct these clerical errors that do not reflect the content of the RRP submitted to the Commission on 30 April 2021 as agreed between the Commission and Austria. Those clerical errors relate to milestone 2 under measure 1.A.1 (Renewable Heating Law) under component 1 Sustainable Recovery; target 73 under measure 3.A.1 (Research, Innovation and Technology Strategy 2030 (RTI Strategy 2030)), milestone 86 under measure 3.B.1. (Education bonus) milestone 88 under measure 3.B.2 (Promoting re-skilling and up-skilling; milestone 94 under measure 3.C.2. (Remedial education package) all under component 3 Knowledge-based Recovery; milestone 136 under measure 4.C.2

(Develop a national digitalisation strategy for cultural heritage), milestone 139 under measure 4.C.3 (Renovation of Volkskundemuseum Wien and Prater Ateliers) both under component 4 Just Recovery; and milestone 174 under measure 5.A.2. (Hydrogen as key technology to climate neutrality) under component 5 REPowerEU. Further clerical errors relate to the description of the following measures: 1.C.1 Legal framework for increasing collection rates for beverage packaging and the supply of reusable beverage containers in retail, 1.C.4 Retrofitting of existing and construction of new sorting facilities and 1.C.5 Promotion of the repairing of electrical and electronic equipment (repair bonus) under component 1 Sustainable Recovery; 2.D.2 Digital investments in enterprises under component 2 Digital Recovery; 3.B.1 Education bonus and 3.C.3 Expansion of elementary education under component 3 Knowledge-based Recovery; 4.A.1 Enhancing primary health care, 4.A.2 Funding of primary health care projects; 4.A.4 (National roll-out of 'early aid' for socially disadvantaged pregnant women, their young children, and families), 4.D.5 (Eco-social tax reform), 4.D.6 (Green Finance (Agenda)), 4.D.7 (National Financial Education Strategy), 4.D.9 (Strengthening equity capital, 4.D.10 (Labour market: one-stop shop), and 4.D.11 (Liberalisation of business regulations) all under component 4 Just Recovery. Finally, seven clerical errors relate to Section 2 (Financial Support) of the Council Implementing Decision of 13 July 2021. One of these clerical errors relates to the correction of the name of target 48 under measure 2.A.2 (availability of Gigabit capable access networks and creation of new symmetric Gigabit connections under component 2 Digital Recovery) in the table for the sixth instalment, to align it with the name of this target as specified in the Annex to the Council Implementing Decision of 13 July 2021. The other six clerical errors relate to the instalment amounts included in Section 2 (Financial Support) of the Council Implementing Decision of 13 July 2021, which contained a rounding error. Those corrections do not affect the implementation of the measures concerned.

Commission's assessment

(8) The Commission has assessed the amended RRP against the assessment criteria laid down in Article 19(3) of Regulation (EU) 2021/241.

Addressing all or a significant subset of challenges identified in country-specific recommendations

(9) In accordance with Article 19(3), point (b), of and Annex V, criterion 2.2, to Regulation (EU) 2021/241, the amended RRP is expected to contribute to effectively addressing all or a significant subset of challenges (Rating A) identified in the relevant country-specific recommendations addressed to Austria, including fiscal aspects thereof, or challenges identified in other relevant documents officially adopted by the Commission in the context of the European Semester.

(10) The amended RRP includes an extensive set of mutually reinforcing reforms and investments that contribute to effectively addressing all or a significant subset of the economic and social challenges outlined in the country-specific recommendations addressed to Austria by the Council in the context of the European Semester, notably regarding the sustainability of the pension system (CSR 2019.1.3).

(11) As regards the main changes brought by the revision of the plan, the modification of the reforms 4.D.2 (Increase in effective retirement age) and 4.D.3 (Reducing old-age poverty) under component 4 Just Recovery allow Austria to better address the sustainability of the pension system (CSR 2019.1.3). Reform 4.D.2 (Increase in effective retirement age) is modified to adjust the first pension increase a person

receives after retiring. Due to the exceptional period of inflation in 2022-2024, the implementation of the reform would have had an unintended result of incentivising earlier retirement, which is opposite to the intention to increase the effective retirement age. After modification, the reform provides for a simplified and reduced first-time pension increase for all persons, regardless of the month in which they retired in the previous year. The modified reform is estimated to generate further fiscal savings compared to the originally envisaged reform, thereby contributing to the fiscal sustainability of the pension system. Reform 4.D.3 (Reducing old-age poverty) is modified to include two pension measures, which both incentivise longer work lives. The increase of the pension deferral bonus rewards people who work beyond their statutory retirement age and is especially beneficial for women, whose statutory retirement age is still lower than that of men, thereby contributing to a reduction in the gender pension gap. The reform of the corridor pension aims at restricting access to early retirement, thereby raising the effective retirement age and contributing to the fiscal sustainability of the pension system.

(12) The Commission considers that the amendments put forward by Austria do not affect the positive assessment of the RRP set out in the Council Implementing Decision ST 10159/21 of 13 July 2021[on the approval of the assessment of the RRP for Austria regarding the relevance, effectiveness, efficiency and coherence of the RRP against the assessment criteria laid down in Article 19(3), points (a), (b), (c), (d),(da), (db), (e), (f), (g), (h), (i), (j) and (k).

Positive assessment

(13) Following the positive assessment by the Commission of the amended RRP with the finding that the RRP satisfactorily complies with the criteria for assessment set out in Regulation (EU) 2021/241, in accordance with Article 20(2) of and Annex V to that Regulation, the reforms and investment projects necessary for the implementation of the amended RRP, the relevant milestones, targets and indicators, and the amount made available from the Union for the implementation of the amended RRP in the form of non-repayable financial support should be set out.

Financial contribution

(14) The estimated total costs of Austria's amended RRP is EUR 4 187 412 730. As the amount of the estimated total costs of the amended RRP is higher than the updated maximum financial contribution available for Austria, the financial contribution determined in accordance with Article 20(4), 21a(6) of Regulation (EU) 2021/241 allocated for Austria's amended RRP should be equal to EUR 3 961 157 550.

(15) Council Implementing Decision ST 10159/21 INIT, ST 10159/21 ADD 1; ST 10159/21 COR 1 of 13 July 2021 on the approval of the assessment of the RRP for Austria should therefore be amended accordingly. For the sake of clarity, the Annex to that Council Implementing Decision should be replaced entirely.

HAS ADOPTED THIS DECISION:

Article 1

The Council Implementing Decision of 13 July 2021 on the approval of the assessment of the recovery and resilience plan for Austria is amended as follows:

(1) Article 1 is replaced by the following:

"Article 1

Approval of the assessment of the RRP

The assessment of the modified RRP of Austria on the basis of the criteria provided for in Article 19(3) of Regulation (EU) 2021/241 is approved. The reforms and investment projects under the RRP, the arrangements and timetable for the monitoring and implementation of the RRP, including the relevant milestones and targets and the additional target related to the payment of non-repayable financial support, the relevant indicators relating to the fulfilment of the envisaged milestones and targets, and the arrangements for providing full access by the Commission to the underlying relevant data are set out in the Annex to this Decision.";

(2) The Annex is replaced by the text in the Annex to this Decision.

Article 2
Addressee

This Decision is addressed to the Republic of Austria.

Done at Brussels,

For the Council
The President