2024/90559

17.9.2024

Corrigendum to Regulation (EU) 2022/2560 of the European Parliament and of the Council of 14 December 2022 on foreign subsidies distorting the internal market

(Official Journal of the European Union L 330 of 23 December 2022)

On page 38, Article 46, paragraph 1:

for: ‘1. The Commission shall publish, at the latest on 12 January 2026, and shall regularly update thereafter, guidelines regarding:’

read: ‘1. The Commission shall publish, at the latest on 13 January 2026, and shall regularly update thereafter, guidelines regarding:’

On page 39, Article 47, paragraph 4:

for: ‘4. The first implementing acts referred to in paragraph 1 shall be adopted by 12 July 2023.’

read: ‘4. The first implementing acts referred to in paragraph 1 shall be adopted by 13 July 2023.’

On page 42, Article 50, paragraph 2:

for: ‘2. The power to adopt delegated acts referred to in Articles 49(1) and (5) shall be conferred on the Commission for a period of five years from 12 January 2025.’

read: ‘2. The power to adopt delegated acts referred to in Articles 49(1) and (5) shall be conferred on the Commission for a period of five years from 13 January 2025.’

On page 42, Article 50, paragraph 3, first sentence:

for: ‘3. The power to adopt delegated acts referred to in Article 49(9) shall be conferred on the Commission for a period of five years from 12 January 2025.’

read: ‘3. The power to adopt delegated acts referred to in Article 49(9) shall be conferred on the Commission for a period of five years from 13 January 2025.’

On page 43, Article 52, paragraph 2:

for: ‘2. By 13 July 2026 and every three years thereafter, the Commission shall review its practice of implementing and enforcing this Regulation, in particular with regard to the application of Articles 4, 5, 6 and 9, and the notification thresholds set out in Article 20(3), Article 28(1) and (2), and present a report to the European Parliament and the Council, accompanied, where the Commission considers it appropriate, by relevant legislative proposals. In the context of its review, the Commission shall report on developments in international relations regarding third countries’ subsidy control systems.’

read: ‘2. By 14 July 2026 and every three years thereafter, the Commission shall review its practice of implementing and enforcing this Regulation, in particular with regard to the application of Articles 4, 5, 6 and 9, and the notification thresholds set out in Article 20(3), Article 28(1) and (2), and present a report to the European Parliament and the Council, accompanied, where the Commission considers it appropriate, by relevant legislative proposals. In the context of its review, the Commission shall report on developments in international relations regarding third countries’ subsidy control systems.’

On page 43, Article 53, paragraphs 1 to 4:

for: ‘1. This Regulation shall apply to foreign subsidies granted in the five years prior to 12 July 2023 where such foreign subsidies distort the internal market after 12 July 2023.

2. By way of derogation to paragraph 1, this Regulation shall apply to foreign financial contributions granted in the three years prior to 12 July 2023 where such foreign financial contributions were granted to an undertaking notifying a concentration or notifying financial contributions in the context of a public procurement procedure pursuant to this Regulation.

3. This Regulation shall not apply to concentrations for which the agreement was concluded, the public bid was announced, or a controlling interest was acquired before 12 July 2023.

4. This Regulation shall not apply to public procurement contracts that have been awarded or procedures initiated before 12 July 2023.'

read: '1. This Regulation shall apply to foreign subsidies granted in the five years prior to 13 July 2023 where such foreign subsidies distort the internal market after 13 July 2023.

2. By way of derogation to paragraph 1, this Regulation shall apply to foreign financial contributions granted in the three years prior to 13 July 2023 where such foreign financial contributions were granted to an undertaking notifying a concentration or notifying financial contributions in the context of a public procurement procedure pursuant to this Regulation.

3. This Regulation shall not apply to concentrations for which the agreement was concluded, the public bid was announced, or a controlling interest was acquired before 13 July 2023.

4. This Regulation shall not apply to public procurement contracts that have been awarded or procedures initiated before 13 July 2023.'

On page 44, Article 54, paragraphs 2 to 4:

for: '2. It shall apply from 12 July 2023.

3. By way of derogation from paragraph 2 of this Article, Articles 47 and 48 shall apply from 11 January 2023 and Article 14(5), (6) and (7) shall apply from 12 January 2024.

4. By way of derogation from paragraph 2 of this Article, Articles 21 and 29 shall apply from 12 October 2023.'

read: '2. It shall apply from 13 July 2023.

3. By way of derogation from paragraph 2 of this Article, Articles 47 and 48 shall apply from 12 January 2023 and Article 14(5), (6) and (7) shall apply from 13 January 2024.

4. By way of derogation from paragraph 2 of this Article, Articles 21 and 29 shall apply from 13 October 2023.'