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European Union

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## LEGISLATIVE ACTS AND OTHER INSTRUMENTS

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Subject: COUNCIL IMPLEMENTING DECISION amending the Implementing Decision of 13 July 2021 on the approval of the assessment of the recovery and resilience plan for Spain

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## **COUNCIL IMPLEMENTING DECISION**

**of ...**

**amending the Implementing Decision of 13 July 2021  
on the approval of the assessment of the recovery and resilience plan for Spain**

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<sup>1</sup>, and in particular Article 20(1) thereof,

Having regard to the proposal from the European Commission,

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<sup>1</sup> OJ L 57, 18.2.2021, p. 17, ELI: <http://data.europa.eu/eli/reg/2021/241/oj>.

Whereas:

- (1) Following the submission of the national recovery and resilience plan ('RRP') by Spain on 30 April 2021, the Commission proposed its positive assessment to the Council. On 13 July 2021, the Council approved the positive assessment by means of an implementing decision ('the Council Implementing Decision of 13 July 2021')<sup>2</sup>. The Council Implementing Decision of 13 July 2021 was amended by Council implementing decisions of 17 October 2023<sup>3</sup>, 14 May 2024<sup>4</sup>, 21 January 2025<sup>5</sup> and 13 May 2025<sup>6</sup>.
- (2) On 20 May 2025, Spain 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, Spain has submitted an amended RRP.

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

- (3) The amendments to the RRP submitted by Spain because of objective circumstances concern one measure.

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<sup>2</sup> See documents ST 10150/21 and ST 10150/21 ADD 1 REV 2 at <http://register.consilium.europa.eu>.

<sup>3</sup> See documents ST 13695/23 REV 1 and ST 13695/23 ADD 1 REV 1 at <http://register.consilium.europa.eu>.

<sup>4</sup> See documents ST 9303/24 and ST 9303/24 ADD 1 at <http://register.consilium.europa.eu>.

<sup>5</sup> See documents ST 17099/24 and ST 17099/24 ADD 1 at <http://register.consilium.europa.eu>.

<sup>6</sup> See documents ST 8053/25 and ST 8053/25 ADD 1 at <http://register.consilium.europa.eu>.

- (4) Spain has explained that one measure has been amended to implement a better alternative that allows the administrative burden to be reduced while still achieving the objectives of that measure. This concerns milestones L35 and L39 and targets L36, L37 and L38 and the description of measure I7 (Investment: Next Tech Fund) under component 13 (Support to SMEs). On this basis, Spain has requested that the description of the measure and its milestones and targets, which cause an unjustified administrative burden with regard to the achievement of the objectives of the measure, be simplified. The Council Implementing Decision of 13 July 2021 should be amended accordingly.
- (5) The Commission considers that the reasons put forward by Spain justify the amendments pursuant to Article 21(2) of Regulation (EU) 2021/241. The Council Implementing Decision of 13 July 2021 should be amended accordingly.

### ***Commission's assessment***

- (6) The Commission has assessed the amended RRP against the assessment criteria laid down in Article 19(3) of Regulation (EU) 2021/241.
- (7) The Commission considers that the amendments put forward by Spain do not affect the positive assessment of the RRP set out in the Council Implementing Decision of 13 July 2021 regarding the relevance, effectiveness, efficiency and coherence of the RRP against the assessment criteria laid down in Article 19(3) of Regulation (EU) 2021/241.

### ***Positive assessment***

- (8) 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***

- (9) The estimated total cost of Spain's amended RRP is EUR 163 029 653 473. As the amount of the estimated total cost of the amended RRP is equal to the updated maximum financial contribution available for Spain, the financial contribution determined in accordance with Article 4a of Regulation (EU) 2021/1755 of the European Parliament and of the Council<sup>7</sup> and with Article 20(4) and Article 21a(6) of Regulation (EU) 2021/241 that is allocated for Spain's amended RRP should be equal to EUR 163 029 653 473. Therefore, the financial contribution made available to Spain remains unchanged.

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<sup>7</sup> Regulation (EU) 2021/1755 of the European Parliament and of the Council of 6 October 2021 establishing the Brexit Adjustment Reserve (OJ L 357, 8.10.2021, p. 1, ELI: <http://data.europa.eu/eli/reg/2021/1755/oj>).

## ***Loans***

- (10) The loan support made available to Spain amounting to EUR 83 160 060 000 remains unchanged.
- (11) The Council Implementing Decision of 13 July 2021 should therefore be amended accordingly. For the sake of clarity, the Annex to the Council Implementing Decision of 13 July 2021 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 Spain 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 amended RRP of Spain 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 related to the payment of non-repayable financial support and the additional milestones and targets related to the payment of the loan, 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 set out in the Annex to this Decision.

*Article 2*

This Decision is addressed to the Kingdom of Spain.

Done at ..., ...

*For the Council*

*The President*

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