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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

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 Austria

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 Austria**

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 Facility¹, and in particular Article 20(1) thereof,

Having regard to the proposal from the European Commission,

¹ 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 Austria 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 decision² ('the Council Implementing Decision of 13 July 2021'). The Council Implementing Decision of 13 July 2021 was amended by the Council Implementing Decisions of 9 November 2023³ and 8 July 2025⁴.
- (2) On 4 November 2025, 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 34 measures.
- (4) Austria has explained that two measures are partially no longer achievable because of lower-than-expected demand. This concerns measures 1.A.3 (Combating energy poverty) and 2.D.3 (Green investments in enterprises). On this basis, Austria has requested that those measures be amended. The Council Implementing Decision of 13 July 2021 should be amended accordingly.

² See documents ST 10159/21 INIT, ST 10159/21 COR 1 and ST 10159/21 ADD 1 at <http://register.consilium.europa.eu>.

³ See documents ST 14472/23 INIT and ST 14472/23 ADD 1 at <http://register.consilium.europa.eu>.

⁴ See documents ST 10502/25 INIT and ST 10502/25 ADD 1 at <http://register.consilium.europa.eu>.

- (5) Austria has explained that four measures are partially no longer achievable because of changed market conditions and supply chain issues that are causing delays in their implementation. This concerns measures 1.B.3 (Zero-emission buses), 1.D.1 (Renewables Expansion Law), 3.A.3 (Austrian Institute of Precision Medicine) and 3.D.2 (IPCEI Hydrogen). On this basis, Austria has requested that those measures be amended. The Council Implementing Decision of 13 July 2021 should be amended accordingly.
- (6) Austria has explained that four measures are no longer achievable within their original timeline because of technical difficulties. This concerns measures 1.B.5 (Construction of new railways), 1.C.2 (Biodiversity fund), 1.C.4 (Retrofitting of existing and construction of new sorting facilities) and 4.D.1 (Spending review focusing on green and digital transformation). On this basis, Austria has requested that those measures be amended to extend their implementation timeline. The Council Implementing Decision of 13 July 2021 should be amended accordingly.
- (7) Austria has explained that two measures have been amended to implement better alternatives, in order to achieve their original ambition. This concerns measures 2.A.2 (Widespread availability of Gigabit capable access networks and creation of new symmetric Gigabit connections) and 3.C.3 (Expansion of elementary education). On this basis, Austria has requested that those measures be amended. As those circumstances justify an amendment of those measures, the Council Implementing Decision of 13 July 2021 should be amended accordingly.

- (8) Austria has explained that 22 measures have been amended to implement better alternatives that allow the administrative burden to be reduced and simplify the implementation of the Council Implementing Decision of 13 July 2021, while still achieving the objectives of those measures. This concerns measures 1.B.1 (Mobility Masterplan 2030), 1.B.4 (Zero-emission utility vehicles), 1.C.1 (Legal framework for increasing collection rates for beverage packaging and the supply of reusable beverage containers in retail), 1.C.3 (Investments in reverse vending systems, washing and refilling facilities, and packaging equipment), 1.C.5 (Promotion of the repairing of electrical and electronic equipment (repair bonus)), 1.D.2 (Transforming the economy towards climate neutrality), 2.B.1 (Fair and equal access of pupils to basic digital competence), 2.B.2 (Provision of digital end-user devices to schools), 3.A.1 (Research, Innovation and Technology Strategy 2030 (RTI Strategy 2030)), 3.A.2 (Quantum Austria — Promotion of Quantum Sciences), 3.A.4 ((Digital) Research Infrastructures), 3.C.1 (Increased access to education), 4.A.1 (Enhancing primary health care), 4.A.2 (Funding of primary health care projects), 4.A.3 (Development of the electronic ‘parent-child pass’ platform), 4.B.3 (Investment in climate-friendly town centres), 4.C.3 (Renovation of Volkskundemuseum Wien and Prater Ateliers), 4.C.4 (Digitalisation wave cultural heritage), 4.C.5 (Investment fund for climate-friendly cultural businesses), 5.A.2 (Hydrogen as key technology to climate neutrality), 5.B.1 (Photovoltaic systems) and 5.B.2 (Funding zero-emission commercial vehicles). On this basis, Austria has requested that those measures be amended. The Council Implementing Decision of 13 July 2021 should be amended accordingly.

Distribution of milestones and targets

- (9) The distribution of milestones and targets in instalments should be amended to take into account the amendments to the RRP and the indicative timeline presented by Austria.

Commission's assessment

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

Contribution to the green transition, including biodiversity

- (11) In accordance with Article 19(3), point (e), of, and criterion 2.5 of Annex V to, Regulation (EU) 2021/241, the amended RRP contains measures that contribute to a large extent (rating A) to the green transition, including biodiversity, or to addressing the challenges resulting from it. The measures supporting climate objectives account for an amount which represents 53,0 % of the amended RRP's total allocation and 100 % of the total estimated cost of measures in the REPowerEU chapter calculated in accordance with the methodology set out in Annex VI to Regulation (EU) 2021/241. In accordance with Article 17 of Regulation (EU) 2021/241, the amended RRP is consistent with the information included in the National Energy and Climate Plan 2021-2030.

- (12) The amended RRP continues to support the decarbonisation of Austria's economy. The percentage of the financial envelope that contributes to the green transition, including biodiversity, was reduced by 2,7 percentage points due to the decrease in the allocation for four measures: 1.A.3 (Combating energy poverty); 1.B.3 (Zero-emission buses); 2.D.3 (Green investments in enterprises); and 3.D.2 (IPCEI Hydrogen). The amended RRP still significantly exceeds the 37 % green tagging requirement and continues to contribute substantially to the green transition.

Contribution to the digital transition

- (13) In accordance with Article 19(3), point (f), of, and Annex V, criterion 2.6, to, Regulation (EU) 2021/241, the amended RRP contains measures that contribute to a large extent (rating A) to the digital transition or to addressing the challenges resulting from it. The measures supporting digital objectives account for an amount which represents 35,4 % of the amended RRP's total allocation calculated in accordance with the methodology set out in Annex VII to that Regulation.
- (14) The amended RRP continues to support the digital transition. The percentage of the financial envelope that contributes to the digital transition was reduced by 0,3 percentage points due to the deletion of the digital component from measure 3.A.3 (Austrian Institute of Precision Medicine). After accounting for that reduction, the amended RRP still significantly exceeds the 20 % digital tagging requirement and continues to contribute substantially to the digital transition.

Costing

- (15) In accordance with Article 19(3), point (i), of, and criterion 2.9 of Annex V to, Regulation (EU) 2021/241, the justification provided in the amended RRP on the amount of the estimated total cost of the amended RRP is to a medium extent (rating B) reasonable and plausible, is in line with the principle of cost efficiency and is commensurate with the expected national economic and social impact.
- (16) Based on the information provided, the assessment of existing measures whose amendment entailed a revision of their cost estimates shows that the revised cost is reasonable and plausible. In a few cases, the methodology and calculations used to derive the cost estimates in the amended RRP precludes an A rating for that assessment criterion. Finally, the amount of the estimated total cost of the amended RRP is in line with the principle of cost efficiency and commensurate with the expected national economic and social impact.

Any other assessment criteria

- (17) 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 of 13 July 2021 regarding the relevance, effectiveness, efficiency and coherence of the amended RRP against the assessment criteria laid down in Article 19(3), points (a), (b), (c), (d), (da), (db), (g), (h), (i), (j) and (k), of Regulation (EU) 2021/241.

Positive assessment

- (18) Following the positive assessment by the Commission of the amended RRP, with the finding that the amended 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 should be set out.

Financial contribution

- (19) The estimated total cost of Austria's amended RRP is EUR 4 073 468 950. As the amount of the estimated total cost of the amended RRP is higher than the updated maximum financial contribution available for Austria, the financial contribution determined in accordance with Article 4a of Regulation (EU) 2021/1755 of the European Parliament and of the Council⁵ and with Article 20(4) and Article 21a(6) of Regulation (EU) 2021/241 that is allocated for Austria's amended RRP should be equal to EUR 3 961 157 550. Therefore, the financial contribution made available to Austria remains unchanged.
- (20) 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.

⁵ 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>).

- (21) This Decision is without prejudice to the outcome of any procedures relating to the award of Union funds under any Union programme other than the Recovery and Resilience Facility or 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. It does not override the requirement for Member States to notify instances of potential State aid to the Commission under Article 108 of the Treaty,

HAS ADOPTED THIS DECISION:

Article 1

Approval of the assessment of the amended recovery and resilience plan

The assessment of the amended recovery and resilience plan for Austria on the basis of the criteria provided for in Article 19(3) of Regulation (EU) 2021/241 is approved.

Article 2

Amendments

The Annex to the Council Implementing Decision of 13 July 2021 on the approval of the assessment of the recovery and resilience plan for Austria is replaced by the text appearing in the Annex to this Decision.

Article 3

Addressee

This Decision is addressed to the Republic of Austria.

Done at ..., ...

For the Council

The President
