

**Question for written answer E-008786/2013
to the Commission**

Rule 117

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Subject: Problems with the method of calculation of eligible costs for state aid for environmental protection (exhaust abatement technology)

Article 82 of the EU guidelines on state aid for environmental protection and the methodology for calculation of eligible costs states the following:

'Eligible costs must be calculated net of any operating benefits and operating costs related to the extra investment for environmental protection and arising during the first five years of the life of the investment concerned. This means that such operating benefits must be deducted and such operating costs may be added to the extra investment costs.'

This creates difficulties for the shipping industry in a charter party context. The investment cost for new abatement technology always falls on the ship owner but the influence over the fuel consumption and the figures over the lost cargo space vary between different charter parties. In some cases the price of the cargo space is a trade secret known only by the charterer.

Contracts relating to different types of cargoes and vessels for shipping transport can be divided into two main types: 1) voyage charter and 2) time charter.

For a vessel engaged under terms of a voyage charter the model is consistent with the methodology for calculation of eligible costs under the guidelines, since the owner pays for all costs for the voyages, including fuel.

However, for vessels engaged under terms of a time charter, the model calculation is not workable at all. According to the time charter terms, the ship owner will provide and pay for officers and crew and maintain the vessel (including exhaust gas abatement technology), whilst costs related to the voyages (fuel consumption) and the cargo operations (loss of cargo space) will be paid by the charterer, rendering it impossible to set the investment costs in relation to operating benefits and costs.

How will the Commission guarantee that all different types of charter contracts, and thereby all types of shipping have the same opportunities to be granted state aid for environmental protection, particularly exhaust abatement technology necessary to meet emission limits laid down in Directive 2012/33/EU amending Council Directive 1999/32/EC as regards the sulphur content of marine fuels?