



Overview

The General Block Exemption Regulation (GBER) has historically streamlined State aid for strategic sectors, but ports remain excluded from its scope, leaving operators burdened by complex notification requirements. Unlike aviation, rail, and road, ports lack block exemptions, creating legal uncertainty and administrative inefficiencies. Updating the GBER to include port superstructures and equipment is not a privilege but a necessity to align with EU objectives on competitiveness, climate action, and resilience.

The GBER needs to be more coherent with the current EU priorities. Current provisions of the GBER cover only basic infrastructure in ports like quays and dredging, excluding critical superstructures such as cargo-handling equipment, onshore power supply, and digital systems. These investments are essential for meeting EU mandates under the Green Deal, AFIR, FuelEU Maritime, and the revised TEN-T Regulation, which recognises multimodal hubs and advanced handling systems as vital for connectivity and efficiency.

Including the superstructures would also support military mobility and cybersecurity, both of which have become strategic imperatives amid rising geopolitical and cyber threats. Other transport modes already enjoy clear frameworks for infrastructure and equipment, making ports' exclusion a structural inconsistency. The forthcoming GBER revision offers an opportunity to close this gap, enabling Member States to fund projects that deliver EU priorities while reducing legal uncertainty and ensuring uniformity across transport sectors.

The recommendations of the undersigned three organisations

A targeted amendment to Article 56b is necessary to address a structural inconsistency that currently prevents Member States from block-exempting indispensable terminal assets, thereby undermining objectives already embedded in EU transport and industrial policy. The current wording restricts eligibility to basic infrastructure and explicitly excludes port superstructures, creating a legal and economic imbalance unique among major transport sectors. This exclusion is increasingly misaligned with EU priorities on decarbonisation, digitalisation, dual-use readiness, and intermodal connectivity. It blocks support for equipment and installations essential to meeting obligations under the Alternative Fuels Infrastructure Regulation, digitalisation of terminal operations, and the Union's Readiness 2030 agenda for military mobility. As a result, ports face uneven treatment compared to other transport modes and delayed investment in assets that directly enable efficient port services.

From a legal perspective, the GBER revision aims to simplify procedures, reflect recent policy developments, and clarify eligibility categories. Including port superstructures as eligible investment costs under Article 56b offers a proportionate and administratively light solution, requiring no new aid instruments or derogations. It simply expands the basket of eligible assets within the existing framework of different-cost funding and ex-ante profit claw-back safeguards. This adjustment would align the regulation with today's policy landscape while maintaining access, pricing, and non-discrimination conditions already embedded in the GBER. It ensures coherence across transport modes and reduces the administrative burden for Member States and operators.

Extending block-exemption to superstructures will also deliver tangible benefits for port services. Electrification systems, onshore power supply, and low-emission cargo-handling equipment will accelerate compliance with EU decarbonisation targets, while digitalisation upgrades such as advanced terminal operating systems and automation layers will improve throughput, reduce delays, and strengthen resilience against disruptions.

Towage and pilotage services will benefit from faster vessel turnaround times, improved berth allocation, and real-time traffic management systems, reducing waiting periods and fuel consumption for tugboats and pilot vessels. Enhanced digital platforms and secure communication systems will improve coordination during manoeuvres, increasing safety and reliability.

Furthermore, dual-use infrastructure for military mobility and cybersecurity will safeguard critical supply chains and ensure continuity of operations in emergencies. By removing the need for lengthy notifications, ports can deploy these upgrades more quickly, improving service reliability, competitiveness, and integration into multimodal logistics networks. Ultimately, this amendment ensures ports can deliver on EU climate, connectivity, and security objectives while maintaining legal certainty and competitive neutrality across the Union.

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