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Ministry of Trade, Industry and Fisheries
P.O. Box 8090 Dep
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Norway

Subject: Amendments to the Norwegian innovation and development scheme for news and current affairs media

1 Summary

- (1) The EFTA Surveillance Authority ('ESA') wishes to inform Norway that, having assessed the 'amendments to the innovation and development scheme for news and current affairs media' ('the measures'), it considers that they constitute State aid within the meaning of Article 61(1) of the EEA Agreement and decides not to raise objections¹ to the measures, as they are compatible with the functioning of the EEA Agreement, pursuant to its Article 61(3)(c). ESA has based its decision on the following considerations.

2 Procedure

- (2) The Norwegian authorities notified the measures on 23 June 2025.²

3 Description of the measures

3.1 Background

- (3) On 14 June 2018, ESA approved by Decision No 061/18/COL ('the Initial Decision'),³ a scheme on innovation and development for news and current affairs media ('the scheme'). The scheme was found to be compatible with the functioning of the EEA Agreement, pursuant to its Article 61(3)(c). The Initial Decision approved the scheme for a duration from 1 July 2018 until 31 December 2022.
- (4) On 7 December 2022, ESA approved the prolongation of and amendments to the scheme by Decision No 219/22/COL ('the Prolongation Decision').⁴ By the Prolongation Decision, ESA approved the prolongation of the scheme until 31 December 2028. Moreover, ESA approved two amendments to the scheme: (i) the inclusion of niche media; and (ii) an increase in aid intensity for projects aimed at small, local news and current affairs media.
- (5) The scheme aims at promoting both the development of editorial content and the development or implementation of new solutions for production, publishing or

¹ Reference is made to Article 4(3) of Part II of Protocol 3 to the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice.

² Document Nos 1544846 and 1544844.

³ ESA [Decision No 061/18/COL](#), *the Norwegian innovation and development scheme for news and current affairs media*.

⁴ ESA [Decision No 219/22/COL](#), *prolongation of and amendments to the Norwegian innovation and development scheme for news and current affairs media*.

dissemination of editorial content. Moreover, the scheme supports projects with the aim to increase the consumption of such content in the population in general or for specific population groups. ESA refers to both the Initial Decision and the Prolongation Decision for more details on the scheme.

- (6) The main objectives of the scheme are linked to the Norwegian media policy objectives, which are grounded upon the so-called 'infrastructure requirement' of the Norwegian Constitution. The infrastructure requirement establishes that it is incumbent upon the State to create conditions that facilitate an open and enlightened public discourse.

3.2 Notified amendments to the scheme

3.2.1 Introduction

- (7) There are currently several conditions that beneficiaries are required to meet to be eligible for aid under the scheme. These conditions are set out in Section 2 of the Norwegian Regulation on innovation and development aid to news and current affairs media ('the Regulation').⁵
- (8) As set out in Section 2 of the Regulation, the main purpose of the medium must be the journalistic production and dissemination of news, current affairs and debate content aimed at a general audience. Furthermore, the medium must contain a broad range of news, current affairs and debate content from different areas of society, or a broad range of news, current affairs and debate content about politics, economics or social life.
- (9) According to Section 2 of the Regulation, the main purpose of the medium cannot be marketing or advertising. Media primarily aimed at members or employees of specific organisations, associations or companies are also excluded. Media that predominantly contain advertisements are excluded.
- (10) The Norwegian authorities explain that the majority of niche media in Norway still do not meet the conditions of the Regulation under the scheme, despite the amendments introduced in 2022.⁶ In particular, niche media organised under the Norwegian press association Fagpressen⁷ still do not meet the general conditions set out in the Regulation. The Norwegian authorities explain that this may be due to various factors, including the fact that media organised under Fagpressen are not aimed at a general audience, but rather target members or employees of specific organisations, associations, or companies.⁸ As a result, their exclusion from the scheme has limited their ability to pursue innovation projects.

⁵ Regulation on innovation and development aid to news and current affairs media of [26 June 2018 no 1033](#). (In Norwegian: *Forskrift om innovasjons- og utviklingstilskudd til nyhets- og aktualitetsmedier*).

⁶ Following ESA's approval of those amendments by the Prolongation Decision. Pursuant to these amendments, media offering a variety of news, current affairs and debate content about politics, economics or social life became eligible beneficiaries under the scheme. See Prolongation Decision, paragraphs 15-23.

⁷ Fagpressen is a press association with around 230 members. All members of Fagpressen are editor-controlled journalistic publications.

⁸ Section 2a of the Regulation.

3.2.2 Amendments to ensure inclusion of niche media

- (11) The Norwegian authorities explain that niche media are important contributors to media diversity and public discourse in Norway. Many of them are editor-controlled journalistic publications that focus on democratically important topics that are increasingly overlooked by broader news and current affairs media. Moreover, the ownership structures of niche media vary, ranging from unions, interest organisations to commercial actors, resulting in publications with significantly different structures, funding, and editorial focus. Niche media are therefore considered important to counteract the emergence of journalistic blind spots.
- (12) The Norwegian authorities further note that niche media are frequently cited by broader news and current affairs media, and decision-makers, such as the Norwegian Parliament.
- (13) In support of this, the Norwegian authorities refer to reports by the Norwegian Media Authority from 2023⁹ and 2024,¹⁰ which highlight the important role of niche media in strengthening journalistic coverage of specialised fields and providing in-depth reporting that complements broader news and current affairs media. The Norwegian authorities note that niche media face the same pressures as the broader media sector, particularly the challenges of rapid digitalisation, declining advertising revenues, and insufficient investment in innovation and development projects.
- (14) The Norwegian authorities therefore contend that expanding the scope of the scheme can contribute to bringing its purpose of promoting media diversity and an enlightened public discourse through stimulation of editorial, content-oriented innovation to fruition. This is further supported by the Norwegian Media Authority's 2021 report on support schemes for media,¹¹ which found that the qualification criteria in the Regulation require an amendment in order to make niche media eligible for support under the scheme.
- (15) The Norwegian authorities have therefore proposed the following amendments to Section 2 of the Regulation, which also replace the conditions currently set out in Section 2 a to c in the Regulation and summarised in paragraphs (8)-(9) above, to make the general eligibility conditions more lenient. Pursuant to the proposed amendments, beneficiaries must:
- be covered by the scope of Section 2 of the Media Responsibility Act,¹²
 - have an editor-in-chief who adheres to the ethical standards of the press, and
 - not predominantly contain entertainment, lifestyle, or consumer content aimed at the reader as a private individual.
- (16) For a medium to be covered by the scope of Section 2 of the Media Responsibility Act, it must regularly engage in journalistic production and publication of news,

⁹ [The Norwegian Media Authority's report on media diversity from a sender perspective](#) (2023), chapter 6.1.

¹⁰ [The Norwegian Media Authority's report on media diversity from a sender perspective](#) (2024), chapter 6.1.

¹¹ [The Norwegian Media Authority's report on the media support schemes](#) (2021), chapter 13.

¹² The Media Responsibility Act of [29.05.2020 no 59](#) (in Norwegian: *medieansvarsloven*).

current affairs, public debate, or other content of general interest. Furthermore, media whose primary purpose is advertising and marketing, or which predominantly consist of advertisements, remain excluded from the scheme, as they fall outside the scope of Section 2 of the Media Responsibility Act.

- (17) With these amendments, which replace the eligibility conditions set out in paragraphs (8)-(9) above, the Norwegian authorities aim to broaden the scheme to allow niche media to meet the general conditions set out in the Regulation. As a result, innovation and development projects from a wider range of beneficiaries may become eligible for aid.

3.3 National legal basis

- (18) Sections 4 and 7 of the Norwegian Media Support Act¹³ and the amended Regulation are the national legal basis of the scheme (as amended by the measures).

3.4 Cumulation

- (19) The Norwegian authorities explain that as a general rule, a project may not receive grants under more than one grant scheme. However, beneficiaries applying for grants under the scheme may also be eligible for aid under other schemes.
- (20) According to the Norwegian authorities, there are currently no other existing media grant schemes that cover the same eligible costs as covered by grants under the scheme, with one exception, that is grants for local broadcasting. As the scheme is platform-neutral, a local radio station that qualifies for support under the grant scheme for local broadcasting,¹⁴ could also qualify for support under the scheme. The Norwegian authorities have, however, explained that the Norwegian Media Authority cannot approve the same project receiving support under both schemes.
- (21) The Norwegian authorities have confirmed that the notified amendments do not involve any changes to the rules on cumulation applicable under the scheme.

4 Presence of State aid

4.1 Introduction

- (22) Article 61(1) of the EEA Agreement reads as follows: “Save as otherwise provided in this Agreement, any aid granted by EC Member States, EFTA States or through State resources in any form whatsoever which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods shall, in so far as it affects trade between Contracting Parties, be incompatible with the functioning of this Agreement.”
- (23) The qualification of a measure as aid within the meaning of this provision requires the following cumulative conditions to be met: (i) the measure must be granted by the State or through State resources; (ii) it must confer an advantage on an undertaking; (iii) favour certain undertakings (selectivity); and (iv) threaten to distort competition and affect trade.

¹³ The Media Support Act of [18 December 2020 no 153](#) (in Norwegian: *mediestøtteloven*).

¹⁴ See ESA [Decision No 123/20/COL](#), *Grant scheme for local broadcasting*.

- (24) ESA has previously concluded that the scheme constitutes State aid within the meaning of Article 61(1) of the EEA Agreement.¹⁵ The measures do not alter ESA's previous assessment. The measures therefore constitute State aid within the meaning of Article 61(1) of the EEA Agreement.

5 Lawfulness of the aid

- (25) Pursuant to Article 1(3) of Part I of Protocol 3 to the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice ("Protocol 3 SCA"): "The EFTA Surveillance Authority shall be informed, in sufficient time to enable it to submit its comments, of any plans to grant or alter aid. ... The State concerned shall not put its proposed measures into effect until the procedure has resulted in a final decision."
- (26) The Norwegian authorities have notified the measures and have yet to let them enter into force. They have therefore complied with the obligations under Article 1(3) of Part I of Protocol 3 SCA.

6 Compatibility of the aid

6.1 Introduction

- (27) In derogation from the general prohibition of State aid laid down in Article 61(1) of the EEA Agreement, aid may be declared compatible if it can benefit from one of the derogations enumerated in the Agreement. The Norwegian authorities invoke Article 61(3)(c) of the EEA Agreement as the basis for the assessment of the compatibility of the aid measure.
- (28) Article 61(3)(c) of the EEA Agreement provides that ESA may declare compatible "aid to facilitate the development of certain economic activities or of certain economic areas, where such aid does not adversely affect trading conditions to an extent contrary to the common interest". Therefore, in order to declare the aid compatible, first, the aid must be intended to facilitate the development of certain economic activities or of certain economic areas and, second, the aid must not adversely affect trading conditions to an extent contrary to the common interest.¹⁶
- (29) ESA has already found the scheme to be compatible with Article 61(3)(c) of the EEA Agreement. In its Prolongation Decision, ESA further assessed and approved the amendments aimed at including niche media. The proposed amendments merely ensure the inclusion of niche media, as already approved under the Prolongation Decision.¹⁷ Accordingly, ESA considers that the notified amendments do not alter the assessment of the scheme's compatibility with the functioning of the EEA Agreement, as carried out in both the Initial and Prolongation Decisions.¹⁸
- (30) ESA considers in particular that, as described in paragraph (15), the proposed amendments will better ensure the inclusion of niche media in the scheme. ESA also takes into consideration that the duration and the maximum annual budget of the scheme remain unchanged.

¹⁵ See the Initial Decision, paragraphs 21-31.

¹⁶ Judgment of 22 September 2020, *Austria v Commission (Hinkley Point C)*, C-594/18 P, EU:C:2020:742, paragraphs 18-20.

¹⁷ See the Prolongation Decision, paragraph 45.

¹⁸ See Section 6 of the Initial Decision and Section 6 of the Prolongation Decision.

- (31) Based on the above, ESA considers the amendments to ensure the inclusion of niche media and the minor amendments to the scheme to be necessary and proportionate to achieve the objective of the scheme.

6.2 Transparency

- (32) The Norwegian authorities have confirmed that any aid award exceeding EUR 100 000 will be published in the [national transparency register](#).

7 Conclusion

- (33) On the basis of the foregoing assessment, ESA considers that the measures constitute State aid with the meaning of Article 61(1) of the EEA Agreement. Since ESA has no doubts that the measures are compatible with the functioning of the EEA Agreement pursuant to its Article 61(3)(c), it has no objections to the implementation of the measures.
- (34) The Norwegian authorities have confirmed that the notification does not contain any business secrets or other confidential information that should not be published.

For the EFTA Surveillance Authority,

Yours faithfully,

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Responsible College Member

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This document has been electronically authenticated by Arne Roeksund, Melpo-Menie Josephides.