

## The Law Of State Aid In The European Union

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*State aid: the basics - GOV.UK*

What is State aid? State aid is defined as an advantage in any form whatsoever conferred on a selective basis to undertakings by national public authorities. Therefore, subsidies granted to individuals or general measures open to all enterprises are not covered by this prohibition and do not constitute State aid (examples include general taxation measures or employment legislation).

*What is state aid? European Commission*

State aid is any advantage granted by public authorities through state resources on a selective basis to any organisations that could potentially distort competition and trade in the European Union...

*State aid - GOV.UK*

The UK appears close to agreeing the overarching principles of a UK State aid law regime according to evidence provided by Michael Gove and David Frost to the House of Lords EU Committee on Wednesday 7th October 2020.

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## *The future of State aid law in the UK*

State Aid In broad terms, the State is restricted from using its resources to intervene in the market by subsidising market operators. These rules derive from EU law and related decisions of the European Commission and the courts.

## *State Aid | Bevan Brittan LLP*

State aid rules and coronavirus The outbreak of a novel virus infection has a significant economic impact. Several Member States are considering or have already announced support measures for citizens or companies. Some support measures may entail State aid within the meaning of Article 107 (1) TFEU.

## *Competition - State aid - State aid rules and coronavirus ...*

An agreement on state aid control would instead have the distinct benefit of facilitating an important trade deal with the EU and guaranteeing UK companies a significant access to what still is the...

## *State aid control is proving a dealbreaker in Brexit ...*

State aid is governed by the Treaty on the Functioning of the European Union (TFEU). These rules say that the European Commission must give prior clearance to any state aid, and that countries must not grant the aid until it is cleared by the Commission.

## *Introduction to state aid - Pinsent Masons*

State aid in the European Union is the name given to a subsidy or any other aid provided by a government that distorts competitions. Under European Union competition law the term has a legal meaning, being any measure that demonstrates any of the characteristics in Article 107 of Treaty on the Functioning of the European Union, in that if it distorts competition or the free market, it is classed by the European Union as being illegal state aid. Measures which fall within the definition of state

## *State aid (European Union) - Wikipedia*

This guidance covers Regional Aid, Research, Development and Innovation (RD&I) and the most commonly used sections of the new General Block Exemption Regulation (GBER). Describes what has changed...

## *State aid: general block exemption regulation - GOV.UK*

This book provides a comprehensive practitioner guide to the EU law of State aid, covering all relevant legislation, case law, and the dominant themes shaping EU State aid policy. It discusses the concept of State aid and its development in the European Union, as well as practical aspects such as procedures for notification to the European Commission, and enforcement in the European Court and ...

## *European Union Law of State Aid - Kelyn Bacon QC - Oxford ...*

State aid Legislation > Treaty Provisions on State aid Full texts of the Treaties. On 1 December the Treaty of Lisbon entered into force. See the changes to the numbering of articles. Core provisions of the Treaty on the Functioning of the European Union (TFEU), formerly called "Treaty establishing the European Community" (EC) Article 107 of ...

## *Legislation > Treaty Provisions on State aid*

Rules applicable to State aid in transport sector Rules applicable to State aid in coal sector Revision of the State aid rules for agriculture, forestry and rural areas Evaluation of State aid

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rules for health and social services of general economic interest (SGEI) and of the SGEI de minimis Regulation

## *European Commission - Competition*

State aid State aid procedures. Article 107 of the Treaty on the Functioning of the European Union (TFEU) ensures that aid granted by a Member State or through State resources does not distort competition and trade within the EU by favouring certain companies or the production of certain goods.

## *State aid procedures - European Commission*

This book provides a comprehensive practitioner guide to the EU law of State aid, covering all relevant legislation, case law, and the dominant themes shaping EU State aid policy. It discusses the concept of State aid and its development in the European Union, as well as practical aspects such as procedures for notification to the European Commission, and enforcement in the European Court and ...

## *European Union Law of State Aid: Amazon.co.uk: Bacon QC ...*

State aid — application of rules for services of general economic interest (SGEI) State aid: environmental protection and energy State aid for rapid broadband deployment De minimis rule — exemption of small aid amounts from notification

## *Rules applicable to state aid - EUR-Lex*

Abstract. EC State aid law represents an increasingly important part of EC competition law. The case law at national and European levels is growing rapidly, both in quantity and importance. Significant and increasingly frequent legislative and regulatory measures have been adopted at the European level in this field.

## *Law of State Aid in the European Union - Oxford Scholarship*

Buy State Aid Law of the European Union by Hofmann, Herwig C. H., Micheau, Claire (ISBN: 9780198727460) from Amazon's Book Store. Everyday low prices and free delivery on eligible orders.

This book provides a comprehensive practitioner guide to the EU law of State aid, covering all relevant legislation, case law, and the dominant themes shaping EU State aid policy. It discusses the concept of State aid and its development in the European Union, as well as practical aspects such as procedures for notification to the European Commission, and enforcement in the European Court and national courts. It offers extensive coverage of specific sectors, including transport and shipbuilding, media and communications, energy and environmental protection, culture and heritage, and agriculture. The third edition is fully updated to cover the extensive legislative changes in this area, including the new General Block Exemption Regulation and De Minimis Regulation, horizontal aid guidelines, and sectoral guidelines for aviation, cinemas, agriculture, and fisheries; as well as State aid cases in the national courts, particularly the UK, and recent European Court jurisprudence. Accessible to competition lawyers and non-specialists, the book's clarity and concision make it an invaluable reference to this area of law.

This volume analyses the concept of aid and examines fundamental questions concerning the scope of state aid law. It also draws a comparison with WTO provisions on subsidies and looks

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at EEA and applicant states' state aid regimes. It then focuses upon selected areas of state aid law and policy.

State intervention in air transport is omnipresent. Airlines, in particular, are major beneficiaries of State aid. This book provides a comprehensive analysis of the law regulating State aids to airlines, which includes sections on Articles 107 TFEU and 108 TFEU as well as an overview of legal issues raised by air transport and competition in the EU, in particular deregulation and its consequences. EU Law on State Aid to Airlines follows a multi-disciplinary approach by relying on the fundamental concepts of economics and policy analysis. This approach allows grasping the wider implications of this sector's issues for the field of State Aid, in particular in the light of the 'more economic approach' and the 'balancing test'. Furthermore, additional perspective is given on State aid law in the air transport sector through comparative analyses of regulations in the United States and Switzerland and outlooks on international relations. Finally, the book presents a number of recent Commission decisions with a dramatic importance for the air transport, with the opening of formal investigation procedures regarding alleged State aid to low-cost airlines operating from regional airports all over Europe. Magnus Schmauch is Legal Secretary at the EFTA Court in the Chambers of judge Pall Hreinsson. Previous experience includes four years as a lawyer at the Court of Justice of the European Union. He has published a large number of articles on State aid and other fields of EU law and teaches on EU law and fundamental rights at the University of Lund, Sweden.

Analysing the evolution of the legal concept of State aid in the EU, this book examines the main formulas established by the Court of Justice of the EU since the early 1950s, underpinning the legal boundaries of State aid in relation to the historical, political, economic, and legal evolution of its field of application: the internal market.

The recent State Aid Modernization has decentralized the enforcement of State aid law. In particular, under the General Block Exemption Regulation a number of aid schemes do not require the preventive "check" by the European Commission, while national courts play a growing role in private enforcement of State aid law. This insightful book analyzes the enforcement of State aid law in the aftermath of the State Aid Modernization, identifying a number of emerging trends at the national and EU level.

Rules controlling State aid and subsidies on the EU and the WTO level can have a decisive influence on both regulatory and distributive decision-making. This field of law has grown exponentially in importance and complexity over the past decades. Rules on State aid and subsidies control are one of the key instruments to ensure that public spending and regulatory measures do not lead to discriminatory distortions of competition. As a consequence, hardly any part of national law is free from review under criteria of State aid and subsidy regulation. In turn, State aid and subsidies law is linked to economic, constitutional, administrative law of the EU and the Member States as well as to public international law. This book brings together leading experts from academia, the judiciary, civil servants from the European Commission, and practicing lawyers to provide expert opinion and commentary on the diverse dimensions of the complex and vital area of law. Critically analysing and explaining developments and current approaches in State aid law and subsidies, the chapters take into account not only the legal dimensions but also the economic and political implications. They address the EU law applicable to State aid in the aftermath of the recent State Modernization reform, and coverage includes: an in-depth analysis of the notion of State aid as interpreted by the Court's cases-law and the Commission's practice; the rules on compatibility of State aid with the internal market; the rules governing the procedure before the Commission; the litigation before the Court of

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Justice of the European Union; and analysis of the other trade defense instruments, including WTO subsidy law and EU anti-subsidy law.

Private Enforcement of European Competition and State Aid Law Current Challenges and the Way Forward Edited by: Ferdinand Wollenschläger, Wolfgang Wurmnest & Thomas M.J. Möllers The overlapping European Union (EU) regimes of competition law and State aid law both provide mechanisms allowing private plaintiffs to claim compensation for losses or damages. It is thus of significant practical value to provide, as this book does, analysis and guidance on achieving enforcement of such claims, written by renowned authorities in the two fields. The book examines the two areas of law both from an EU perspective and from the perspectives of private enforcement in France, Germany, Italy, the Netherlands, Spain and the United Kingdom. In country reports for these major jurisdictions, as well as in more general and comparative chapters, the authors focus on such issues as the following: impediments to private enforcement; which entity is liable for damages; binding effect of decisions of competition authorities; limitation of actions; collective actions and pooling of claims; enforcement of the standstill obligation (Article 108(3) TFEU); remedies and information deficits; cooperation and coordination between national courts and the European Commission; transposition of the so-called Damages Directive (Directive 2014/104/EU) by the EU Member States; extent to which the strengthening of private enforcement of competition law has a spillover effect on State aid law; and prospects for harmonisation of State aid law. A concluding section identifies enforcement deficits and proposes ways to improve the existing legal framework. As an in-depth assessment of key obstacles and best practices in private enforcement actions, this highly informative and practical volume facilitates choice of the best forum for competition and State aid law cases. Academics and practitioners engaged with this important area of European law will appreciate the authors' awareness of the economic need and legal particularities which could generate an effective European system of private enforcement of legitimate claims under EU competition and State aid law.

This revised and updated Research Handbook on European State Aid Law brings together established academics and practitioners to provide a wide-ranging coverage of the field. Incorporating political science, economics and the law in its analysis, it provides a strong overview of the salient issues in State aid law and policy.

High profile cases before the European Commission and the EU courts have intensified scrutiny of the link between State aid law and the taxation of multinational enterprises. Certain decisions have raised questions about fiscal sovereignty and the interpretation of the rules on State aid – in particular the notion of selectivity, which have not been addressed in detail by existing research. The combination of the evolution of the notion of selectivity in State aid law, on the one hand, and the need to adapt the rules for the taxation of the profits of multinational enterprises to the modern economy, on the other hand, makes it necessary to assess whether existing as well as alternative rules for the allocation of the corporate tax base might entail a selective treatment. This book responds to the need of research in the area of State aid law applied to the taxation of the income of multinational enterprises, focusing on the crucial concept of selectivity. The analysis proceeds with a detailed investigation of the theoretical issues that arise when applying the selectivity test in State aid law to three methods for the allocation of the corporate tax base between the members of multinational enterprises: – the arm's length principle; – transfer pricing safe harbours; and – systems of formula apportionment. This research project is conducted at a theoretical level, without considering national provisions or particular tax treaties. The author suggests an analytical framework on the application of the selectivity test to the three allocation methods. It is concluded that these

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methods are likely to have certain selective features, with varying possibilities to be justified by the inner logic of a corporate income tax system. It is also demonstrated that selectivity occurs for different reasons, due to the different rationales of the three allocation methods. This book is intended at contributing to the academic literature on the impact of State aid law on the principles for the taxation of the income of multinational enterprises. The outcome of this research project is also relevant for lawmakers who need to reconcile the imperatives of State aid law with the design of rules that match their tax policies, as well as for judges or lawyers who apply the rules on State aid to tax provisions.

EU State Aid Control: Law and Economics thoroughly explores the main rationales of State aid control, the main concerns and the various trade-offs that underlie the rules and the decisions ultimately taken by the European Commission and the Courts. In recent years, the European Commission has conducted an almost complete overhaul of State aid control in the European Union (EU). The SAM initiative has engendered new secondary legislation, as well as new guidelines covering practically all areas of State aid control, including both horizontal and sector-specific rules. Notable in these developments is an increasingly refined economic approach, both in the design of the rules and in the assessment of individual cases. This book is the first of a kind in its in-depth analysis of the current legal and economic principles of EU State aid control. What's in this book: This book is split into three parts as follows: The first part covers the hotly disputed conditions of economic advantage, selectivity and distortion of competition and effect on trade. The second part covers the compatibility of aid measures under horizontal rules across industry sectors, including an assessment of the efficiency of the General Block Exemption Regulation and of the new rules on ex post evaluation. The third part deals with the application of State aid rules in specific sectors such as infrastructure, broadband, energy and banking. Distinguished experts - including lawyers, economists, academics, and officials of the European Commission and of Member State authorities - share their legal and economic experience, insight and critique of EU State aid control as it stands. How this will help you: As a critical assessment of the current status of EU State aid control from both legal and economic perspectives, and as an authoritative guide through its complexities and pitfalls of State aid control, this book serves as an invaluable tool, now and in the coming years, to all stakeholders required to understand, interpret and apply rules under the new regime of State aid control.

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