



European Commission

# Competition

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## EU State aid control - challenges and perspectives

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The views expressed are purely those of the writer and may not in any circumstances be regarded as stating an official position of the European Commission.

European Commission,  
DG Competition, Directorate C, Unit C 4



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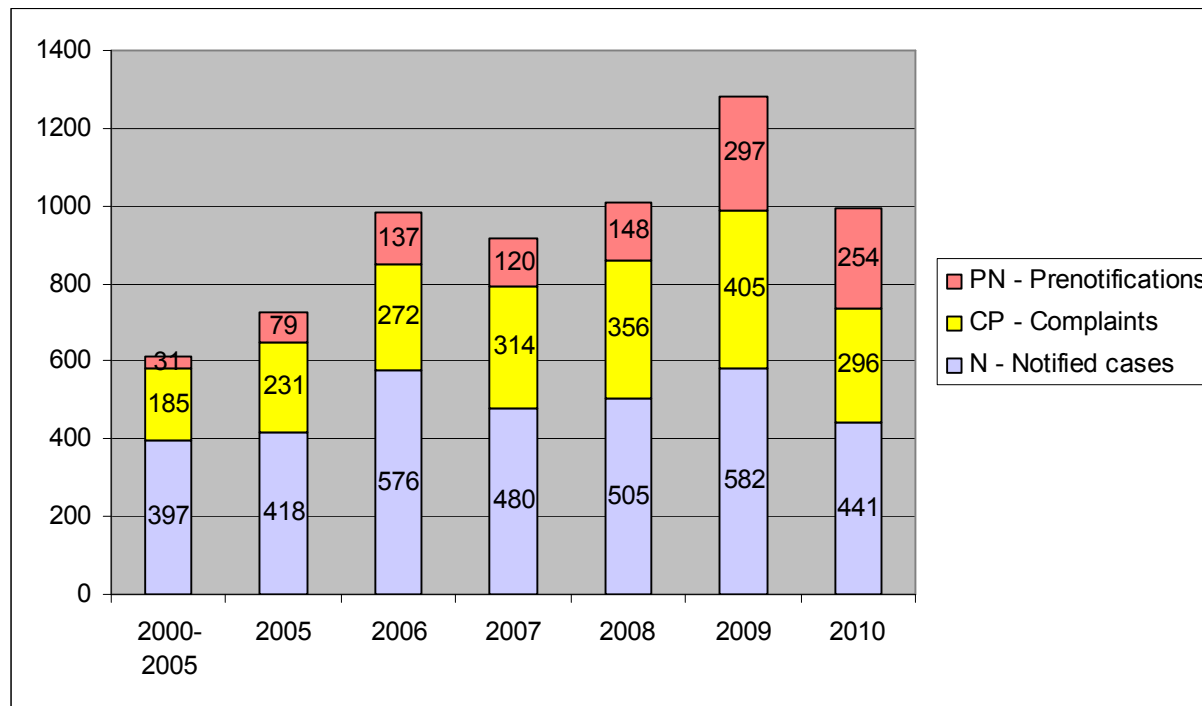
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# State aid control practice

## Business as usual?

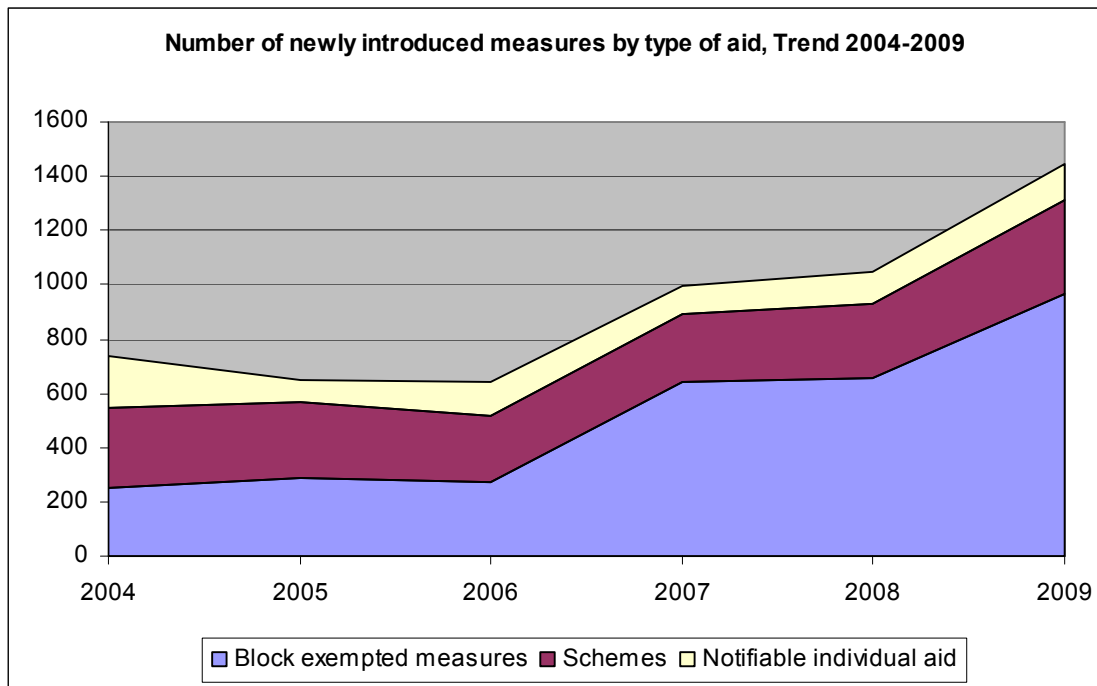


# New cases by origin 2005 - 2010





# Types of new cases





## Other case handling activities

- Article 108(1) TFEU: “... keep under constant review all systems of aid ...”
- Enforcement of decisions.
- Litigation in Court.
- Ex officio procedures.
- Detect illegal aid?



## Evolution of State aid control practice

- GBER is an effective tool in reducing the number of notifications and reducing the administrative burden.
- Member States continue to introduce a high number of new measures.
- Schemes are the essential aid instrument for MS to achieve policy objectives.



## Review of rules of substance

- Under the State Aid Action Plan 2005-2009, most of the guidelines, frameworks and communications have been revised and made uniform.
- Some reviews are still outstanding (rescue and restructuring aid, fiscal aid) and some documents are ripe for a second review.



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Project	legal deadline
Services General Economic Interest Package	End 2011
Rescue & Restructuring – financial sector	End 2011 – To be prolonged
Shipbuilding Framework	End 2011
Broadband Guidelines	September 2012
Rescue & Restructuring – industrial sectors	October 2012
Short-term export credit insurance	End 2012
Cinema Communication	End 2012
Regional aid guidelines	End 2013
R&D&I Framework	End 2013
Risk capital guidelines	End 2013
GBER	End 2013
Environmental guidelines	End 2014
State aid in the context of the Emission Trading System	No formal deadline, at the latest end 2012
Reference Rate communication	No formal deadline
Aviation guidelines	No formal deadline
Maritime guidelines	No formal deadline





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## What about...?

- The Enabling Regulation, the Procedural Regulation, the Implementing Regulation?
- More guidance on the notion of aid: the market economy investor principle, public private partnerships, infrastructure?



## Due to the financial crisis...

- Importance of State aid control as a coordination tool
  - Commission Communications to support financial sector and real economy on basis of Article 107(3)(b) TFEU
- Need to prioritize pro-growth initiatives
- Need to deal with Member States subject to IMF/ECB/EC program
- Importance of interplay between regulation and State aid control



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## Two broad options

- Broad strategic initiative regarding state aid control (package approach across all instruments/reviews)
- Piecemeal approach, step by step



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# Thank you for your attention