

# Essentials of State Aid Law and Procedures

Intensive Training for Beginners

9-10 October 2018 | London

Academic Director &  
Chair



**Phedon Nicolaides**

Professor at the College of Europe in Bruges and the Maastricht University, and Academic Director at lexion training

Speakers



**Péter Staviczky**

State Aid Attaché, Permanent Representation of Hungary to the EU, Brussels, Belgium

**Juliette Delarue,**

Lawyer ClientEarth, Brussels

DAY 1

- Structure of the system of State aid control
- Concept of State aid and the criteria of Art. 107 TFEU
- State aid assessment: principles of compatibility
- State aid exemption: de minimis aid
- Main horizontal guidelines:
  - State aid for environmental protection and energy
  - Case study: Green energy

DAY 2

- The General Block Exemption Regulation (GBER) :
  - Common & specific provisions
  - Aid for culture and heritage conservation
  - Aid schemes for audiovisual works
  - Aid to make good the damage caused by natural disasters
  - Aid for SMEs
- State aid exemption: main horizontal guidelines
  - Aid for R&D&I
  - Regional State aid

## General Information

### Current Challenges for Responsible Authorities

The training covers all topics that you need for the start in the State aid field. Our experts will give you an overview on:

- Structure of the system of State aid control and obligations of all parties involved
- Concept of State aid and its application in the practice
- *De minimis* aid and State aid exemptions
- Practical application of the GBER
- Notification of State aid cases to the European Commission
- Assessment of compatibility of aid by the European Commission
- Recovery of incompatible aid

### Methodology

The participants will be actively involved in the training. The sessions will combine presentations, case studies and discussion on practical problems. You will have ample opportunities to present your own problematic issues and discuss them with the speakers and participants from other Member States.

Just send to us your cases and questions in advance! We will forward them to our speakers, who will include your issues in the programme and answer them during the training. All information concerning such problems and cases will be treated confidentially.

### Participants will receive extensive materials

- ✓ All presentations shown during the training (inclusive online access to all presentations after the training)
- ✓ Confirmations of Participation
- ✓ Selection of corresponding journals published by Lexxion

### Who should participate?

- Public officials from:
  - Ministries and other national authorities
  - Regional governments
  - Communal and City councils involved in granting State aid in sectors such as:
    - Transport and infrastructure
    - Finance
    - Environment and Energy
    - Telecommunication and Broadband
    - Social services and health
    - Agriculture
- New employees in the State Aid Monitoring Offices
- ESI funds experts from:
  - Institutions coordinating the national strategies for ESI Funds
  - Managing, Certifying and Audit Authorities
  - Intermediate bodies
  - Bodies implementing EU funded projects
- Employees of National and Regional Development Agencies
- Lawyers and consultants specialized in public affair

### Your benefit

- ✓ Learn more about the **concept of State aid** and its general prohibition under EU treaty rules.
- ✓ Find out how to assess the existence of State aid in your **funding measures**.
- ✓ Get a detailed overview of **the most important State aid exemptions** and learn how to implement them in the practice.
- ✓ Make sure that your projects and funding schemes are designed in compliance with State aid rules.
- ✓ Become an insight into the **methods of assessment** and handling the State aid cases by the DG Competition.
- ✓ Get acquainted with all the procedures relevant for State aid notification.
- ✓ Learn **how to recover incompatible State aid** from third parties and what the consequences of a recovery failure are.
- ✓ Analyse your problems and discuss your questions with acknowledged experts.

## Programme Day 1

09:00 Welcome note by Lexxion and chair;  
Introduction of participants

*Phedon Nicolaidis, College of Europe  
Bruges, Maastricht University, and Lexxion  
training Academic Director*

09:30 **Structure of the System of State aid Control**

- Sources of law
- Powers of European Commission
- Obligations of the Member States
- State Aid Modernisation Initiative
- Judicial review

*Phedon Nicolaidis*

10:30 Coffee Break & Networking

11:00 **Concept of State Aid and Art 107 TFEU**

- The meaning of aid granted by a Member State or State Resources
- The concept of economic and non-economic activity
- How to determine advantage to certain undertakings or production of certain goods
- How to establish whether a measure is selectivity
- The meaning of distortion of competition and effect of trade between the Member States

*Phedon Nicolaidis*

12:30 Lunch

13:30 **Group Exercise on the Concept of State Aid**

- Application of the Criteria of Art. 107 TFEU to the Aid Measures
- Interactive discussion on findings

*Phedon Nicolaidis*

14:30 **State Aid Assessment: Principles of Compatibility**

- Exceptions
- Options for public authorities & type of assessment
- Assessment by commission
- General principles of exemption
- Common assessment principles
- Typical reasons for finding incompatibility

*Phedon Nicolaidis*

15:15 **State Aid Exemption: De minimis Aid**

- Notion of *de minimis* aid
- Notion of single undertaking
- Advantages of *de minimis* aid

*Phedon Nicolaidis*

15:45 Coffee Break

16:00 **State Aid for Environmental Protection and Energy**

- Environmental and Energy State Aid Guidelines (EEAG)
- The General Block Exemption Regulation (GBER)
- Energy transition and State aid

*Juliette Delarue, Lawyer ClientEarth,  
Brussels*

16:30 **Case Study on Green Energy**

- Interactive discussion on green energy

*Juliette Delarue*

17:15 Q&A and Summary of Day 1

## Programme Day 2

- 09:00 **General Block Exemption Regulation (GBER) – Common Provisions**
- Legal background
  - State aid modernization
  - Regulatory framework under the SAM
  - Scope of the GBER

*Péter Staviczky, State Aid Attaché,  
Permanent Representation of Hungary to  
the EU, Brussels, Belgium*

- 10:00 **State Aid Exemption: The General Block Exemption Regulation (GBER) – Specific Provisions, e.g.**
- Training aid
  - Employment aid
  - Aid for broadband infrastructures
  - Aid for local infrastructure

*Péter Staviczky*

10:45 Coffee Break

- 11:15 **Case Study: How to Design Projects Compliant with of GBER?**

*Péter Staviczky*

12:00 **Modification of the GBER**

*Péter Staviczky*

12:45 Lunch

- 13:45 **Regional State aid**
- Regional development: GBER and guidelines
  - Reconciling completion and cohesion

*Phedon Nicolaides*

14:15 **State aid for R&D&I**

*Phedon Nicolaides*



15:00 Coffee Break

- 15:15 **State Aid Notification & State Aid Recovery**
- Legal background and main procedural rules
  - New rules from 2013
  - Rule of EU and national courts in State aid matters
  - Role and rights of third parties

*Péter Staviczky*

16:15 **Problem Solving session:**  
Round-table discussion on the important lessons to be drawn from the training and the typical mistakes to avoid

17:00 End of the Training  
Distribution of Certificates

\*Programme may be subject to change

**Just send us your cases and questions in advance!**

We will forward them to our speakers, who will include your issues in the programme and answer them during the workshop. All information concerning your questions and cases will be treated confidentially. As the number of participants is limited, participants will benefit from a maximum of exchange and discussion of their individual questions.

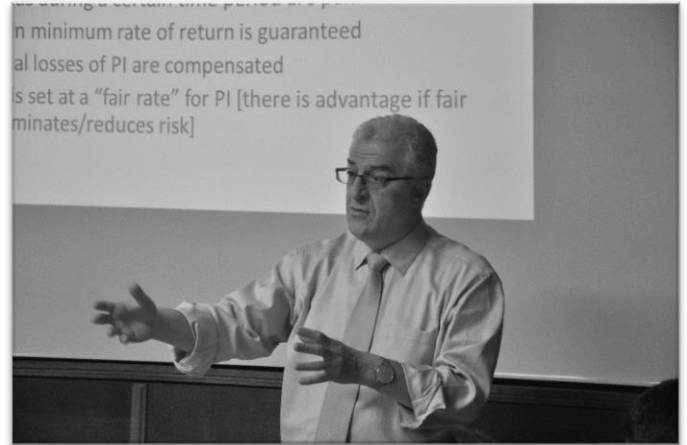
## Experts

### Chair

#### Phedon Nicolaidis

Professor at the College of Europe in Bruges and the Maastricht University, and Academic Director at lexion training

Dr. Nicolaidis has been educated in the United States, the Netherlands and the United Kingdom and has a PhD in economics and a PhD in law. He has acted as consultant to a number of public authorities in various EU Member States and to international institutions and organisations such as the European Commission, the European Investment Fund, the European Economic and Social Committee, the OECD and the UN. He has published extensively on competition policy, State aid, and policy implementation. During the past 15 years, he has carried out training activities on State aid in most EU Member States.



### Speakers

#### Péter Staviczky

State Aid Attaché, Permanent Representation of Hungary to the EU, Brussels, Belgium

Studied law at the Pázmány Péter Catholic University Faculty of Law (1996-2001) and Comparative Law at the International Faculty of the University Robert Schuman Strasbourg (1999-2002). He did a banking-lawyer postgraduate training (2000-2002) and took part in the common European specialist course of the Ministry of Foreign Affairs and the French École National d'Administration in spring 2002. He has been working at the State Aid Monitoring Office in Budapest since 2001. In 2007, he was appointed as head of the unit. He is a regular speaker at the seminars on State aid. Since January 2011 he is the attaché responsible for State aid at the Permanent Representation of Hungary to the EU in Brussels.

#### Juliette Delarue

Lawyer ClientEarth, Brussels

Juliette Delarue's work at ClientEarth focuses on aligning the EU State aid framework with EU climate and energy targets. Before joining ClientEarth Juliette was a commercial lawyer at the international law firm HFW where her experience encompassed state aids, regulatory and litigation matters with a focus on air transport. She qualified as a lawyer in France (admitted to the Paris Bar) and holds degrees in French and English Business Law from the Universities of Rennes and Paris 1 Panthéon-Sorbonne and a LLM in International Business Law from the University of Exeter, UK.

*"Interesting discussion that dived deep into the issue and always available to answer your queries."*

**Participant of Essentials of State Aid Law and Procedures, Previous Trainings**

*"Never say 'I know State aid', because you never know how much you don't know about it!"*

**Participant from the Ministry of Social Security and Labour of Lithuania**

*"The training was very interesting and useful, a great start for beginners in the topic. All the changes in the EU legislation were discussed and many examples for State aid were given."*

**Zoya Vasileva, Ministry of Finance, Bulgaria**



## Registration

### Venue

America Square Conference Centre  
1 America Square, 17 Crosswall  
London EC3N 2LB

### Participation fee

- YES, I would like to participate for the reduced fee for public authorities **EUR 1190,00** (excl. VAT).
- YES, I would like to participate for the regular fee of **EUR 1590,00** (excl. VAT).
- YES, I am European State Aid Law Quarterly - EStAL-subscriber (10% discount if applicable).

*The participation fees include the workshop material, drinks and snacks during the breaks and lunch.*

### Newsletter subscription

- Please send me information about State Aid issues for free. I may unsubscribe from this service any time.

### Cancellations

Cancellations should be made in writing per post or fax. Please note that the full fee will be charged for cancellations received after 25 September 2018 (included illness or impediment which prevents her or him from fulfilling her or his duties). Nomination of a substitute remains possible. A cancellation arising by reason of too small a number of participants is effected no later than two weeks prior to the seminar. In this case the participation fee will be refunded. A requirement for reimbursement of travel and accommodation expenses as well as loss of working hours is not possible, unless such costs result from wantonly negligent or deliberate behaviour on the part of the organiser. For more detailed information, scope and conduct of contract as well as cancellation policy, please check the Terms & Conditions on our website.

### Please register with:



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## Upcoming events

### State Aid from A to Z | 21-24 August 2018 | Como, Italy

Our Summer Course will give you a comprehensive overview of the essential State aid regulations and provide you with a practical "toolbox" for assessment of State aid and design of public measures compatible with the Internal Market. Each day, the experts' presentations will be enriched by working group exercises, best practices examples and interactive case studies.

### State Aid for Transport Services and Infrastructure | 18-19 September 2018 | Brussels, Belgium

On all levels of public administration concerned with the transport investment and funding of public transportation these questions arise: Is State aid involved? Is the compatibility of the public measures with European law ensured? Avoiding unlawful State aid is crucial for the successful and sustainable provision of transport services to all European citizens.