

• Summer Course: State Aid from A – Z

20-23 August 2019 | Lake Como (near Milan), Italy

Experts (among others)



Phedon Nicolaides

Professor at the College of Europe in Bruges and the Maastricht University; Academic Director at lexxion training



Anita Gyürkés

Acting Head of Department, State Aid Monitoring Office, Budapest



Péter Staviczky

Hungarian Permanent Representation, Brussels

Day 1: Concept & Assessment of State Aid

- Concept and principles of State aid
- Case studies & group work: Does a measure constitute State aid?
- Compatibility assessment of State aid
- Practical exercise: The Market Economy Operator Principle (MEOP)

Day 2: State Aid Exemptions: De Minimis & GBER; Procedures

- De minimis Regulation
- General Block Exemption Regulation (GBER)
- GBER: Best practice for application in Member States
- State aid procedures: Notification & recovery of unlawful aid
- Practical session: Procedural rules, Guidelines, GBER – When to notify?

Day 3: SGEI & Main Horizontal Guidelines

- Services of General Economic Interest (SGEI)
- Case studies: SGEI rules in different sectors
- Regional aid & practical cases
- State aid for R&D&I & practical cases
- Environmental and energy aid & practical cases

Day 4: Infrastructure Funding in Compliance with State Aid

- Funding of infrastructure in compliance with State aid
- Practical exercises and group work on infrastructure funding



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General Information

Methodology

This Summer Course provides you with a comprehensive overview of the essential State aid regulations and equips you with a practical "toolbox" for the assessment of State aid and design of public measures compatible with the Internal Market.

The participants will be actively involved. The sessions will combine lectures, case studies, practical exercises and interactive 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 countries. Social activities in the evenings provide a perfect opportunity for (informal) networking.

The process of true learning happens in three stages:

- Identification of the main points or principles
- Appreciation of the complexities and limitation of the principles, and
- Application of the principles

Our Training Method combines these three stages of learning to ensure that the participants obtain the best possible understanding of EU rules.

Who should participate?

- Public officials from:
 - Ministries and other national authorities
 - National Competition Authorities
 - State Aid Monitoring Offices
 - Courts of Auditors
 - Regional governments
 - Communal and city councils
 - National and regional development agencies involved in granting State aid in sectors such as: Transport and infrastructure; finance; environment and energy; telecommunication and broadband; social services and health; agriculture; research, development & innovation
- ESI funds experts from:
 - Institutions coordinating the national strategies for ESI Funds
 - Managing, certifying and audit authorities
 - Intermediate bodies
 - Bodies implementing EU funded projects
- Lawyers and consultants
- Experts from public and private banks
- Academics

Your benefits

- Become familiar with the concept and principles of State aid
- Learn how to assess the existence of State aid and its compatibility with the internal market
- Receive a detailed insight into the most important State aid exemptions and how to apply them
- Become acquainted with the State procedures concerning the notification procedure and recovery of unlawful aid
- Increase your knowledge on the main guidelines
- Make sure you finance infrastructure projects in compliance with State aid rules
- Apply your updated knowledge in various practical cases and group exercises
- Exchange with State aid experts from different Member States and enjoy networking at the beautiful Lake Como



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Programme Day 1 + 2: 20 – 21 August 2019

Chair & Speaker of Day 1:

Phedon Nicolaides, *Professor at the College of Europe, Bruges and the Maastricht University; Academic Director at Lexxion Training*

Chair of Day 2:

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

Day 1: Concept & Assessment of State Aid

08:30 Registration & Welcome Coffee

09:00 Welcome Note & Introduction Round

09:30 System and Structure of State Aid Control in the EU

- Modernisation Initiative
- Responsibilities of the European Commission, Member States and beneficiaries

10:00 Coffee Break & Networking

10:45 Concept and Principles of State Aid

- The requirements of Art. 107 TFEU
- The notion of aid
- The notion of undertaking
- Economic vs. non-economic activity
- Determining advantage and selectivity of measures

12:30 Lunch Break

13:30 Case Studies & Working Groups Exercise: Does a Measure Fulfil the Criteria of Art. 107 TFEU and Constitute State Aid?

15:00 Coffee Break & Networking

15:30 Compatibility Assessment of State Aid

- Is there a need for a subsidy?
- Appropriateness of State aid measure
- Funding gap method and market failure
- Incentive effect and proportionality
- Avoidance of undue negative effects on competition and trade between Member States
- Transparency and evaluation

Practical Exercise: The Market Economy Operator Principle (MEOP)

- When is a public measure State aid – The notion of advantage
- The State as economic actor and public authority
- The MEO test in practice: When and how to apply it?

17:30 Summary and Lessons Learnt of Day 1

17:45 End of Day 1

19:00 **Common Dinner & Networking**

Day 2: State Aid Exemptions: De Minimis & GBER and State Aid Procedures

09:00 De minimis Regulation

- Application of Regulation 1407/2013
- Thresholds, gross grant equivalent and cumulation

09:30 General Block Exemption Regulation (GBER)

- The new GBER rules: Common and specific provisions
- Scope and categories of exempted aid
- Thresholds, incentive effect, cumulation rules

11:00 Coffee Break & Networking

11:30 GBER: Best Practice for Application in Member States

- Experiences and challenges with the practical application of GBER
- How to design your project in compliance with GBER rules?
- Discussion and Q&A

Péter Staviczky

13:00 Lunch Break

14:00 State Aid Procedures: Notification & Recovery of Unlawful Aid

- Notification procedure: The new Regulation 2015/1589
- What needs to be notified and how?
- Types of procedures
- Practical Case: How to Notify a Measure?
- Non-compliance and recovery of unlawful aid
- Practical Case: How to Recover Unlawful Aid?

Marianne Clayton,

Partner, Clayton & Segura - State Aid Lawyers, Brussels (invited)

15:30 Coffee Break

16:00 Practical Exercise on a Fictional Case: Procedural Rules, GBER & Notion of Aid – When to Notify?

Marianne Clayton,

Partner, Clayton & Segura - State Aid Lawyers, Brussels (invited)

17:30 Summary and Lessons Learnt of Day 1

17:45 End of Day 2

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Programme Day 3 + 4: 22 – 23 August 2019

Day 3: SGEI & Main Horizontal Guidelines		Day 4: Infrastructure Funding in Compliance with State Aid	
09:00	Services of General Economic Interest (SGEI) <ul style="list-style-type: none">• Concept of SGEI• Recent judgements and Commission decisions• SGEI Package (2012) and Altmark criteria• How to define a market gap?• How to calculate compensation?• How to notify SGEI aid?	09:00	Funding of Infrastructure in Compliance with State Aid <ul style="list-style-type: none">• Infrastructure Funding in regional policy• Funding infrastructure after Leipzig/Halle: What are public authorities still allowed to finance?• MEIP and its application to infrastructure funding• Compatibility principles of infrastructure funding• The 20% rule of infrastructure funding <p>Anita Gyürkés, <i>Acting Head of Department, State Aid Monitoring Office, Budapest</i></p>
10:30	Coffee Break & Networking	10:30	Coffee Break & Networking
11:00	Case Studies: SGEI Rules in Different Sectors <ul style="list-style-type: none">• <i>Health and Social Services</i>• <i>Social housing</i>• <i>Public transport</i> <p>Péter Staviczky, <i>State Aid Attaché, Permanent Representation of Hungary to the EU, Brussels</i></p>	11:00	Practical Exercises and Group Work on Infrastructure Funding: <ul style="list-style-type: none">• Transport infrastructure• Financing of airports• Research infrastructure• Sport and multifunctional recreational infrastructures• Public Utilities infrastructure: water, sewerage and waste <p>Participants will work on cases. The results will be presented and discussed commonly.</p> <p>Anita Gyürkés, <i>Acting Head of Department, State Aid Monitoring Office, Budapest</i></p>
12:30	Lunch Break	13:00	Lunch Break
13:30	Regional Aid & Practical Cases <ul style="list-style-type: none">• Guidelines on Regional State aid 2014-2020• Regional aid under the GBER – Implications for Member States' authorities• Compatibility measures of regional aid• Treatment of SMEs and large investment projects• When does a Member State have to notify? Can a Member State withdraw a notification? <p>Anita Gyürkés, <i>Acting Head of Department, State Aid Monitoring Office, Budapest</i></p>	14:00	Problem-Solving Session and Final Discussion Discuss your individual cases and questions in full confidentiality
14:30	Coffee Break & Networking	15:00	Summary and Lessons Learnt of Day 4 and the Summer Course
15:00	State Aid for R&D&I & Practical Cases <ul style="list-style-type: none">• The new Framework for State Aid for R&D&I• Non-economic research vs economic research• Collaboration between research organisations and undertakings• GBER rules• Practical experience	15:15	End of the Summer Course & Distribution of Certificates
16:00	Environmental and Energy Aid & Practical Cases <ul style="list-style-type: none">• Guidelines and Legal framework for energy and environment projects: Scope of application• Notifiable energy and environmental aid• Specific State aid provisions for energy efficiency and renewable energy• Practical experiences		
17:00	Summary and Lessons Learnt of Day 1		
17:15	End of Day 1		
18:15	Evening event: Boat Tour & Common Dinner		

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lexxion
training
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Registration

Venue

Palace Hotel

Lungo Lario Trieste 16; 22100 Como; Italy

Participation fee

- YES, I would like to participate for the reduced fee for public authorities **EUR 2.980*** (excl. VAT).
- YES, I would like to participate for the regular fee of **EUR 3.580*** (excl. VAT).
- YES, I am European State Aid Law Quarterly – EStAL-subscriber (EUR 100 discount if applicable).

* 22% Italian VAT will be added.

The participation fees include the 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 6 August 2019 (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:



Gaël Langosch
Lexxion Publisher
Güntzelstr. 63 | 10717 Berlin, Germany
Phone: +49 (0)30-81 45 06-15
Fax: +49 (0)30-81 45 06-22
E-mail: langosch@lexxion.eu
online: www.lexxion.eu/events

Name

Position, Department

Company Name

Address

Address

Phone, Fax

E-Mail

VAT Reg.-No.

Date, Signature

Upcoming Events

EStAL Interactive Forum on EU State Aid Law 2019

6 June: Workshop; 7 June: Forum | in Vienna

Workshop, 6 June:

- Interpreting the condition of selectivity: the Gordian knot of State aid law?
- State aid Infrastructure

Forum, 7 June:

- Overview over Recent Case-Law from the EU Courts
- Obligation to open the formal investigation procedure: is the Commission's interpretation of "serious doubts" in line with that of the EU Courts?
- The role of economic analysis in the control of State aid
- Brexit

Register
now!

For more information on any of our events please visit: www.lexxion.eu