

• Summer Course on the Concept & Principles of State Aid 24 – 27 August 2021 | Rome (Italy) & online



Experts (among others)



Phedon Nicolaides
Professor at the College of Europe in Bruges and the Maastricht University; Academic Director at Lexxion training



Péter Staviczky
Hungarian Permanent Representation, Brussels

Day 1: Concept & Assessment of State Aid

- Concept and principles of State aid
- Compatibility of State aid
- The Market Economy Operator Principle (MEOP)
- Group work: Does a measure constitute State aid?

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
- Procedures: Notification & recovery of unlawful State aid
- Practical session: Procedural rules, Guidelines, GBER

Day 3: SGEI & Main Horizontal Guidelines

- Concept of Services of general economic interest (SGEI)
- Specific sectors: SGEI rules incl. case studies
- Regional aid & practical cases
- Aid for Research, development and innovation (R&D&I)
- Environmental and energy aid & practical cases

Day 4: Infrastructure Funding

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



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General Information

Methodology

The four-day intensive course offers the possibility to **meet with experts from EU institutions, Member States as well as the private sector**. The different perspectives of our experienced trainers will support you in **applying complex rules to your practical day-to-day work**. To achieve the best results, a mix of learning methods will be applied in the course.

Our approach combines the **three stages of learning** to ensure that the participants **obtain the best possible understanding of the applied rules**:

- 1) Identification of the main rules and principles,
- 2) Appreciation of the complexities and limitation of the principles,
- 3) Application of the rules and principles.

The **participants will be actively involved in the course**. The sessions will combine **presentations, case studies and discussion on practical problems**. You will have ample opportunity to present your own 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 course. All information concerning such problems and cases will be treated confidentially.

We will organise different **social activities for our participants on site**, during which you will have an opportunity to meet the experts and other participants and to **discuss your questions in an informal atmosphere**.

Course materials are available for download after the event

Target Group

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 Structural Funds
- Managing, Certifying and Audit Authorities, Intermediate bodies
- Bodies implementing EU funded projects
- **Lawyers and consultants**
- **Experts from Public and private banks**
- **Academics**



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Programme Day 1 + 2: 24 – 25 August 2021

Chair & Speaker of Day 1:

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

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

Phedon Nicolaides

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

Phedon Nicolaides

12:30 Lunch Break

13:30 Case Studies & Working Groups Exercise

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?

Phedon Nicolaides

17:30 Summary and Lessons Learnt of Day 1

17:45 End of Day 1

19:00 **Common Dinner & Networking**

Chair & Speaker of Day 2:

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

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

Péter Staviczky

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

Péter Staviczky

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?

15:30 Coffee Break

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

17:30 Summary and Lessons Learnt of Day 1

17:45 End of Day 2

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Programme Day 3 + 4: 26 – 27 August 2021

Day 3: SGEI & Main Horizontal Guidelines

09:00 Services of General Economic Interest (SGEI)

- 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?

10:30 Coffee Break & Networking

11:00 Case Studies: SGEI Rules in Different Sectors

- *Health and Social Services*
- *Social housing*
- *Public transport*

Péter Staviczky

12:30 Lunch Break

13:30 Regional Aid & Practical Cases

- 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?

14:30 Coffee Break & Networking

15:00 State Aid for R&D&I & Practical Cases

- 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

16:00 Environmental and Energy Aid & Practical Cases

- 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

18:15 **Evening event and Common Dinner**

Day 4: Infrastructure Funding in Compliance with State Aid

09:00 Funding of Infrastructure in Compliance with State Aid

- 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

10:30 Coffee Break & Networking

11:00 Practical Exercises and Group Work on Infrastructure Funding:

- Transport infrastructure
- Financing of airports
- Research infrastructure
- Sport and multifunctional recreational infrastructures
- Public Utilities infrastructure: water, sewerage and waste

Participants will work on cases. The results will be presented and discussed commonly.

13:00 Lunch Break

14:00 Problem-Solving Session and Final Discussion

Discuss your individual cases and questions in full confidentiality

15:00 Summary and Lessons Learnt of Day 4 and the Summer Course

15:15 End of the Summer Course & Distribution of Certificates

Please contact: **Mr August Andreae**



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Summer Course on the Concept & Principles of State Aid

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Registration

Venue

Kolbe Hotel Rome (tbc)

Via di San Teodoro, 48 | 00186 Rome | Italy

Phone: +39 06 679 8866

E-Mail: info@kolbehotelrome.com

As the number of places is limited, please register as soon as possible.

Participation fee for participation face-to-face in Rome:

- YES, I would like to participate for the reduced fee for public authorities **EUR 2.880,00** (excl. VAT).
- YES, I would like to participate for the regular fee of **EUR 3.580,00** (excl. VAT).

Participation fee for online participation:

- YES, I would like to participate for the reduced fee for public authorities **EUR 2.280,00** (excl. VAT).
- YES, I would like to participate for the regular fee of **EUR 2.980,00** (excl. VAT).

Discount for European State Aid Law Quarterly (EStAL) subscribers: € 100,-

22% VAT (Italy) will be added. For online participation the following applies additionally: Customers from other EU countries with a valid VAT ID number will receive an invoice without VAT (reverse charge).

Seating limit

The number of participants in Rome is limited

Newsletter subscription

- Please send me information about European State aid law 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 in case of no show at the online event or for cancellations received after 10 August 2021. Nomination of a substitute remains possible without any additional costs. 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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