

# THE EUROPEAN STATE AID LAW INSTITUTE

## Autumn Conference on European State Aid Law 2017

Workshop: 23 November 2017 | Conference: 24 November 2017

Madrid

THE place to be to  
discuss latest developments  
in European State aid law

### EXPERT PANEL



Viktor KREUSCHITZ  
*Judge, General Court of the  
European Union, Luxembourg*



Gert-Jan KOOPMAN  
*DG Competition, European  
Commission, Brussels*



Koen VAN DE CASTEELE  
*DG Competition, European  
Commission, Brussels*



Malina KROUMOVA  
*Deputy Minister for Regional  
Development and Public Works,  
Sofia*



Marta VILLAR EZCURRA  
*Professor of Tax Law, CEU San  
Pablo University, Madrid*



Antonios BOUCHAGIAR  
*Legal Service, European  
Commission, Brussels*



José Luis BUENDÍA SIERRA  
*Garrigues, Brussels*

### Workshop: 23 November

- State aid and SGEI in broadband, broadcasting and transport sectors – Manifest error in defining a genuine service of general interest
- State aid for R&D&I – Economic vs non-economic research and collaboration agreements

### Conference: 24 November

- Interplay of State aid and Structural Funds regimes
- The Notion of Aid and ‘no effect on trade’
- The impact of State aid control on fiscal law
- State aid in environmental and energy sectors – Tax-specific considerations
- Latest jurisprudence on EU State aid matters

In cooperation with:



Instituto Universitario  
de Estudios Europeos  
Universidad San Pablo

Centre for  
Competition Policy

[www.stateaidhub.eu/events](http://www.stateaidhub.eu/events)

# Workshop

Thursday, 23 November 2017

09:30 – 10:00 Registration & Welcome Coffee  
10:00 – 10:15 Welcome & Introduction to the Workshop

10:15 – 13:00 **Morning Session:**  
State Aid and SGEI in Broadband, Broadcasting and Transport Sectors - Manifest Error in Defining a Genuine Service of General Interest

- How to define a market failure and in which cases the SGEI rules apply?
- Defining SGEI – the “G” and the “E” – what makes the service of general, what of economic interest?
- Recent judgements related to broadband, broadcasting and transport (e.g. Case T-454/13)
- Dynamics in defining technologies as SGEI

13:00 – 14:00 Lunch break

14:00 – 17:00 **Afternoon Session:**  
State Aid for R&D&I Projects

- Economic vs non-economic research
- Collaboration agreements between research institutions and undertakings
- Compatibility of R&D&I Framework with the general State aid approach of Art. 107(1) and the Notion of Aid
- Real-life examples and discussion of the practical challenges of having R&D&I projects approved under State aid rules

17:00 – 17:30 Final Discussion and Concluding Remarks

## EXPERT PANEL



**Chair:**  
Michael SCHÜTTE,  
*Schütte Law, Brussels*

### Panelists:



Klaus-Otto JUNGINGER-DITTEL  
*Senior Expert - State aid, State aid: General Scrutiny and Enforcement, DG Competition, European Commission, Brussels*



Antonios BOUCHAGIARI  
*Member of the Legal Service (AIDE Team), European Commission, Brussels*



Pascal BELMIN  
*Vice-President, Head of EU Regulatory Affairs, Airbus, Brussels*



Michael HONORÉ  
*Partner, Bech-Bruun Law Firm, Copenhagen*



Helmut BROKELMANN  
*Partner, Martinez Lage, Allendesalazar & Brokelmann, Madrid*

## BENEFITS OF ATTENDING

- ✓ Receive detailed and comprehensive information on currently debated State aid issues and recent cases
- ✓ Participate in small group exercises, various case studies and discussion rounds
- ✓ Discuss your own cases with renowned experts from the European Commission, the Member States and leading law firms
- ✓ Network and exchange with colleagues from all over Europe

# Conference

Friday, 24 November 2017

08:00 – 09:00 Registration & Welcome Coffee

09:00 – 09:15 **Welcome Notes on behalf of the CEU San Pablo University and EStALI**

Marta VILLAR EZCURRA, *Professor of Tax Law, Faculty of Law, CEU San Pablo University, Madrid*

Andreas BARTOSCH, *Lutz | Abel, Brussels, European State Aid Law Institute (EStALI)*

Wolfgang ANDREAE, *Publisher, Lexxion Publisher, Berlin & Brussels*

09:15 – 9:30 **Opening Keynote**

High-level expert from the National Commission of Markets and Competition, Madrid (invited)

9:30 – 11:00 **Keynote Panel: Interplay of State Aid and Structural Funds Regimes**

- How to improve the shared management of ESI Funds in interaction with State aid schemes
- State aid assessment requirements for large investment projects
- Conflict between the use of Simplified Cost Options and State aid rules



### Keynote Speakers:

Gert-Jan KOOPMAN, *Deputy Director-General State Aid, DG Competition, European Commission, Brussels*



Malina KROUMOVA, *Deputy Minister for Regional Development and Public Works, Sofia, Member of the High-level Group Monitoring Simplification for Beneficiaries of ESI Funds*



### Chair:

Juan Manuel CONTRERAS DELGADO DE COS, *Deputy Director State Aid, National Commission of Markets and Competition, Madrid*

11:00 – 11:30 Coffee Break & Networking

11:30 – 12:30 **Session I: Latest Jurisprudence on EU State Aid Matters and Q&A**



### Speaker:

Viktor KREUSCHITZ  
*Judge, General Court of the European Union, Luxembourg*



### Chair:

Andreas BARTOSCH  
*Lutz | Abel, Brussels; EStALI*

12:30 – 13:15 **Session II: State Aid in Environmental and Energy - Tax-specific Considerations**

- General trends or energy-tax-specific considerations?
- The electricity networks and its financing: Which is the legal nature of the contributions to the electricity network costs?
- Inputs from landmark and recent cases



### Speakers:

Marta VILLAR EZCURRA  
*Professor of Tax Law, Faculty of Law, CEU San Pablo University, Madrid*



### Chair:

Amparo GRAU  
*Professor of Tax Law, Faculty of Law, University Complutense, Madrid*

13:15 – 14:15 Lunch Break

14:15 – 15:45 Session III: The Impact of State Aid Control on Fiscal Law

- From the fight against harmful taxation till the pursuit of individual arrangements with fiscal authorities
- Is State aid limited to a few big cases or is its impact much wider – a national perspective
- How does State aid control impact on the practice of today's tax advisors?
- Can a reference system always be EU wide? – The Commission's practice on the arm's length principle



**Speakers:**

Koen VAN DE CASTEELE, *Head of Unit, State aid Policy and Case support, DG Competition, European Commission, Brussels*



Joachim ENGLISCH, *Professor of International and European Tax Law, Institute for Tax Law, Faculty of Law, University of Muenster*



José Luis BUENDÍA SIERRA, *Partner, Garrigues, Brussels*

**Chair:** Andreas BARTOSCH, *Lutz | Abel, Brussels; EStALI*



15:45 – 16:00 Coffee Break & Networking

16:00 – 17:30 Session IV: The Notion of Aid and No Effect on Trade

- The two 'no effect on trade' packages of DG COMP
- The new approach on no effect on trade in the NoA – first experiences
- The novel Commission practise and the jurisprudence on effect on trade – tensions or harmony?



**Speakers:**

Koen VAN DE CASTEELE  
*Head of Unit, State aid Policy and Case support, DG Competition, European Commission, Brussels*



**Speakers:**

Leo FLYNN  
*Legal Adviser, Legal Service, European Commission, Brussels*



**Speakers:**

Christian BERGER  
*Senior Advisor, Division for Competition, State Aid and Framework Conditions, Ministry of Enterprise and Innovation, Stockholm*



**Chair:**

Javier PORRAS BELARRA  
*Professor, Public Law Department, Faculty of Law, CEU San Pablo University, Madrid*

17:30 Lessons Learnt & End of Conference

*Programme may be subject to alterations.*

**Continuing Professional Development (CPD)**

The workshop carries 6,5 hours SRA CPD credit; the conference carries 6,75 hours SRA CPD credit.

## WHO SHOULD PARTICIPATE?

- Public officials from:
  - Ministries and other national authorities
  - State aid monitoring offices
  - Courts of auditors
  - Regional governments
  - National and regional development agencies
- Private legal practitioners
- Economists
- Experts from public and private banks
- Academics
- Industry representatives with a focus on the law and economics of European State aid

## YOUR BENEFITS AT A GLANCE

- ✓ Get updated on the latest developments and upcoming challenges in State aid law
- ✓ Discuss your questions with experts from the EU Courts and the European Commission
- ✓ Receive first-hand information and guidance from leading State aid practitioners from EU institutions, Member States, private legal practice and academia
- ✓ Enjoy the great atmosphere of the wonderful capital Madrid

## OPINIONS FROM PREVIOUS ESTALI EVENTS

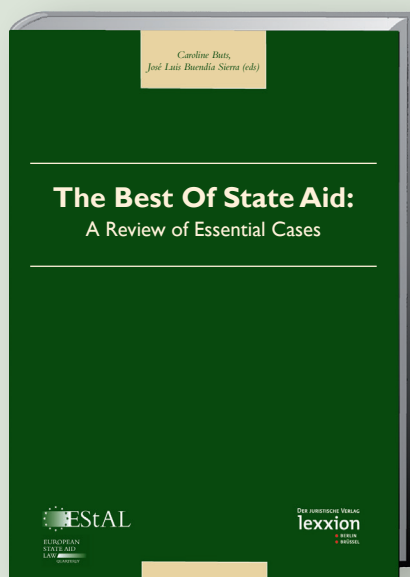
*"The best European State aid know-how in one place. A real brain storming!"*

*„The opportunity to discuss with the Commission and practitioners on chatham house rules is valuable“*

*"Point of Reference" regarding European State Aid Law and Practice.*

*"This conference benefited me and added value to my organisation! It was exciting to learn something new about State aid."*

*"A highly professional and useful analysis of cases and fruitful discussions"*



Caroline Buts,  
José Luis Buendía Sierra (eds)  
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## HIGHLIGHTS OF 15 YEARS ESTAL!

### Top contributions:

- *Altmark* by Phedon Nicolaides
- *Chronopost* by Andreas Bartosch
- *Pearle* by Leigh Hancher
- *BUPA* by Alfonso Lamadrid
- *DHL Leipzig Halle* by Erika Szyszczak
- *Bank Burgenland* by Michael Schütte
- *Mediaset II* by Massimo Merola
- *World Duty Free et alia* by Conor Quigley

Join us at the **ESTALI Autumn Conference**  
and get your free copy!

## REGISTRATION FORM

### Autumn Conference on European State Aid Law 2017

#### Workshop: 23 November 2017

**VENUE:**  
CEU San Pablo University | 23 Julian Romea St. | 28003 Madrid

#### Conference: 24 November 2017

**VENUE:**  
National Commission of Markets and Competition |  
Calle del Barquillo, 5 | 28004 Madrid

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

- YES, I will take part in the Conference on 24 November
- at the regular fee: € 745,-\*
- at the reduced fee for full-time academics: € 545,-\*
- YES, I will take part in the Workshop on 23 November
- at the regular fee: € 1.500,-\*
- YES, I will take part in Workshop and Conference
- at the regular fee: € 2.050,-\*
- at the reduced fee for full-time academics: € 1.850,-\*
- I am ESTAL subscriber and save 10% on the participation fee.
- Please send me information about European State aid law issues for free. I may unsubscribe from this service any time.

\* The participation fees include the conference and/or workshop material, drinks and snacks during the breaks and lunch. 21% Spanish VAT will be added if applicable. Special rates for students on request.

#### PLEASE REGISTER BY:

Post: Güntzelstr. 63, 10717 Berlin, Germany  
Phone: +49 (0)30-81 45 06-27 (Juliana Veit)  
Fax: +49 (0)30-81 45 06-22  
E-mail: [veit@lexxion.eu](mailto:veit@lexxion.eu)  
Online: [www.stateaidhub.eu/events](http://www.stateaidhub.eu/events)

#### CANCELLATION POLICY

Cancellations should be made in writing per post or fax. Please note that the full fee will be charged for cancellations received after 9 November 2017 (included illness or impediment which prevents him from fulfilling 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 conference by the organisers. 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 organisers.

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Date, Signature	

Press date: 26 September 2017.

Subject to alterations. For further information or online registration please visit [www.stateaidhub.eu/events](http://www.stateaidhub.eu/events)