

CONTENTS

<i>Table of Cases and Decisions</i>	xix
<i>Table of Treaties and Legislation</i>	xciii
<i>List of Abbreviations</i>	cxv

PART I GENERAL RULES

1. Introduction to State Aid Law and Policy

A. General Themes of State Aid Control	1.01
B. Why Governments Grant State Aid	1.11
C. The Aims of EU State Aid Control	1.16
D. Implementing State Aid Policy	1.22

2. The Definition of State Aid

A. Introduction	2.01
B. Economic Advantage	2.09
C. State Resources and Imputability	2.93
D. Selectivity	2.113
E. Distortion of Competition and Effect on Trade	2.142
F. <i>De Minimis</i> Aid	2.154

3. Compatibility of Aid—General Principles

A. Introduction	3.01
B. Article 107(2)—Automatic Compatibility	3.09
C. Article 107(3)—Discretionary Compatibility	3.19
D. Article 106(2) and Services of General Economic Interest	3.46
E. Authorisation of State Aid by the Council	3.75

4. International Agreements

A. Introduction	4.01
B. EEA Agreement	4.04
C. Accession to the European Union	4.09
D. World Trade Organization	4.27
E. EU State Aid Law and International Investment Treaties	4.65

PART II SPECIFIC TYPES OF AID

5. The General Block Exemption Regulation	
A. Background	5.01
B. Scope of the GBER	5.05
C. Common Conditions	5.08
D. Monitoring	5.17
6. Regional Aid	
A. Introduction	6.01
B. Demarcation of Regions Under 2014–2020 Regional Aid Guidelines	6.07
C. General Block Exemption Regulation	6.23
D. 2014–2020 Regional Aid Guidelines	6.43
7. SME and Risk Finance Aid	
A. Introduction	7.01
B. Existence of Aid	7.07
C. General Block Exemption Regulation	7.12
D. Risk Finance Guidelines	7.29
E. Authorisation Directly Under Article 107(2) and (3)	7.41
F. Short-term Export-credit Insurance	7.43
8. Research, Development and Innovation	
A. Introduction	8.01
B. Existence of Aid	8.07
C. General Block Exemption Regulation	8.16
D. R&D&I Framework	8.27
9. Training and Employment Aid	
A. Introduction	9.01
B. Existence of Aid	9.05
C. General Block Exemption Regulation	9.08
D. Authorisation Under Article 107(3)	9.19
10. Energy and Environmental Protection	
A. Introduction	10.01
B. Existence of Aid	10.08
C. General Block Exemption Regulation	10.16
D. Environmental and Energy Aid Guidelines	10.34

E. ETS Guidelines	10.66
F. Stranded Costs	10.68
G. Nuclear Energy	10.70
H. Coal	10.78
11. Disaster Aid	
A. Introduction	11.01
B. General Block Exemption Regulation	11.04
C. Authorisation Directly Under Article 107(2)(b)	11.06
12. Transport	
A. Introduction	12.01
B. Rail Transport	12.12
C. Road Transport	12.34
D. Inland Waterways	12.40
E. Intermodal Transport	12.42
F. Air Transport	12.45
G. Maritime Transport	12.83
13. Media and Communications	
A. Introduction	13.01
B. Broadcasting	13.04
C. Broadband	13.29
D. Postal Services	13.54
E. Film and Audiovisual Sector	13.70
14. Culture, Heritage, Sport and Local Infrastructure	
A. Introduction	14.01
B. Culture and Heritage	14.02
C. Sport and Sports Infrastructure	14.11
D. Local Infrastructure	14.16
15. Rescue and Restructuring Aid	
A. Introduction	15.01
B. Existence of Aid	15.04
C. Rescue and Restructuring Guidelines: Basic Concepts	15.06
D. Specific Authorisation Criteria	15.16
E. Procedural Issues	15.31

16. Financial Services	
A. Introduction	16.01
B. Existence and Quantification of Aid	16.09
C. Compatibility of Crisis Aid	16.26
D. Viability and Restructuring Plans	16.61
E. Procedure and Implementation	16.83
17. Agriculture and Fisheries	
A. Introduction	17.01
B. Application of State Aid Rules in the Agriculture Sector	17.10
C. Agriculture <i>De Minimis</i> Exemption	17.13
D. Agriculture Block Exemption Regulation	17.16
E. Agriculture Guidelines	17.57
F. Fisheries	17.114
PART III ENFORCEMENT AND REMEDIES	
18. Supervision by the Commission	
A. Overview of Commission Procedure	18.01
B. Simplified Procedure	18.30
C. Normal Preliminary Review Procedure	18.39
D. Formal Investigation Procedure	18.59
E. Unlawful and Misused Aid	18.85
F. Existing Aid and Sector Inquiries	18.141
G. Evaluation, Monitoring and Compliance	18.149
H. European Ombudsman	18.154
19. Enforcement in the European Court	
A. Introduction	19.01
B. Actions Against Member States	19.02
C. Actions for Annulment of Decisions	19.11
D. Action for Failure to Act	19.87
E. Action for Damages	19.92
F. Appeals to the CJEU	19.97
G. Overarching Procedural Matters	19.103

20. Enforcement in the National Courts	
A. Introduction	20.01
B. Interpretation and Effect of Article 108(3)	20.05
C. Domestic Remedies and Enforcement Action	20.09
D. Interaction with European Court and Commission	20.43
<i>Index</i>	575