EStALI
Autumn Conference 2019

28 – 29 November 2019

Club of the University Foundation | Brussels

Workshop: 28 November 2019

The intensive workshop on the first day, which takes place under the academic direction of Michael Schütte, will give participants profound insights into currently debated State aid issues. The focus will be on two specific topics, which will be explored and discussed in a small group, thus giving sufficient room for interaction, lively debates and your individual questions.

Conference: 29 November 2019

At the conference you can update your State aid knowledge and discuss recent decisions, judgments and developments with our renowned experts from the EU Courts, the European Commission, academia and private legal practice.

Interactive panel discussions and Q&A sessions leave time for exchange and discussion with colleagues from different EU Member States – use this great networking opportunity!

Expert Panel *(among others)*

Alexander Arabadjiev
Judge, Court of Justice of the European Union, Luxembourg

Nicola Pesaresi
Head of Unit, Energy Unit, DG Comp, European Commission, Brussels

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

Antonios Bouchagiar
Member of the Legal Service, European Commission, Brussels; Academic director EStALI Conference

Andreas Bartosch
Lawyer and Partner at Bartosch EU – Law; Editor EStAL, Brussels

Michael Schütte
Schütte Law, Brussels

THE EUROPEAN STATE AID LAW INSTITUTE

www.lexxion.eu/events

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

Discussion of highly relevant topics
Get updated on latest developments and Case law

High-level experts
from the European Commission, EU Courts, Member States, private legal practice and academia

Networking & interaction
Enjoy exchanges and Q&A in interactive break-out sessions, discussion panels and via a conference app

Workshop, 28 November 2019

Chair of the Workshop:
Michael Schütte,
Schütte Law, Brussels

09:30 Registration & Welcome Coffee

10:00 **Welcome & Introduction to the Workshop**

Michael Schütte,
Schütte Law, Brussels

10:15 **Morning Session: State Financing Outside State Aid Rules**

- Economic vs. non-economic activities
- The 'no effect on trade' doctrine – When does it apply?
- The Marinvest and Porting Cases

Anita Gyürkés,
Head of Department, State Aid Monitoring Office, Budapest

Hans Arno Petzold,
Ministry of Economic Affairs, Transport, Employment, Technology, and Tourism of the State of Schleswig-Holstein, Kiel

13:00 Lunch Break

14:00 **Afternoon Session: The Consequences on GBER from Easti Pagar to the BMW Case**

- What is allowable under GBER
- Discussion on the BMW case
- Modification of GBER: What can we expect?

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

17:00 Final Discussion and Concluding Remarks

Conference, 29 November 2019

Chairs of the Conference:

Andreas Bartosch
Lawyer and Partner at Bartosch EU – Law;
Editor EStAL, Brussels

Antonios Bouchagiar
Member of the Legal Service, European Commission, Brussels; Academic director EStALI Conference

Michael Honoré,
Partner at Michael Honoré Advokatfirma, Copenhagen; Academic director EStALI Conference

08:30 **Registration & Welcome Coffee**

09:00 Welcome on behalf of EStALI

Wolfgang Andreae
Lexxion Publisher, Berlin

Andreas Bartosch
Lawyer and Partner at Bartosch EU – Law;
Editor EStAL, Brussels

09:15 Session I: Recent Case-Law and Current Developments in EU State Aid Law

Alexander Arabadjiev,
Judge, Court of Justice of the European Union, Luxembourg

10:30 Coffee Break

11:00 Session II: State Resources and Imputability in Energy Cases and Beyond

- What resources are public or private following the judgments in the EEG (C-405/16) and the Achema (C-706/17) Cases?
- What measures are imputable to the State following the judgments in the Tercas (T-98/16) and Ryanair (T-53/16) Cases?

Antonios Bouchagiar,
Member of the Legal Service, European Commission, Brussels;
Academic director EStALI Conference

Nicola Pesaresi,
Head of Unit, Energy Unit, DG Comp, European Commission, Brussels

Leigh Hancher,
Professor, University of Tilburg, Tilburg, part-time Professor at the Florence School of Regulation within the European University Institute, and Director of the FSR Energy Union Law Area, Florence

12:30 Lunch Break

13:30 Session III: National Courts and Unlawful Aid

- Review of the Commission study: National courts only exceptionally respond positively to companies claims on unlawful aid
- Commission Notice on the recovery of unlawful and incompatible State aid

Michael Honoré,
Partner at Michael Honoré Advokatfirma, Copenhagen; Academic director EStALI Conference

Marco Botta,
Research Fellow, European University Institute, Florence

Niels Fenger,
Judge, Eastern Court of Appeal, Copenhagen

15:00 Coffee Break

15:15 Session IV: Recent Developments in the Area of Fiscal Aid

- Polish (T-836/16) and Hungarian (T-20/17) turnover taxes Cases
- Recent developments in the Starbucks (Joined Cases T-760/15, T-636/16) and FIAT (Joined Cases T-755/15, T-759/15) Cases

Chair: **Michel Honoré**
Partner at Michael Honoré Advokatfirma, Copenhagen; Academic director EStALI Conference

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

17:00 Final Summary &
End of the EStALI Autumn Conference

Registration Form

EStALI Autumn Conference 2019

Club of the University Foundation
Rue d`Egmont 11
Brussels, Belgium
Phone +32(0)2/545 04 00
FU.US@universityfoundation.be

Registration is possible until 13 November 2019.
As the number of conference and workshop places is limited, please register as soon as possible.

PARTICIPATION FEE

- ☐ Reduced fee for full-time academics (Workshop & Conference): € 1.850,– (excl. VAT)
- ☐ Reduced fee for full-time academics (Conference, 29. November): € 545,– (excl. VAT)
- ☐ Regular Fee (Workshop & Conference): € 2.050,– (excl. VAT)
- ☐ Regular Fee (Workshop, 28. November): € 1.500,– (excl. VAT)
- ☐ Regular Fee (Conference, 29. November): € 745,– (excl. VAT)
- ☐ Discount for European State Aid Law Quarterly (EStAL) Subscribers: € 100,–

The Belgian VAT of 21% will be added. The participation fees include the seminar material, drinks and snacks during the breaks and lunches. The number of seats is limited. Registrations will be accepted in a first come, first serve basis.

Contact us:

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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 12 November 2019 (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.

Name

Institution

Address

Postal Code/Country

Phone Fax

E-mail

VAT Reg. No. / No.TVA / BTW-Nr.

EStAL subscription no.

Date, Signature

Press date: October 2019. Subject to alterations. For further information or online registration please visit www.lexxion.eu/events.

EStAL EUROPEAN STATE AID LAW QUARTERLY

European State Aid Law

The European State Aid Law Quarterly (EStAL) was launched in 2002 as the first pan-European journal dedicated solely to State aid law and policy. Over the last 15 years, the journal has been known for closely monitoring the reforms, changes and overall developments in the world of State aid and subsidies in the EU, becoming the primary point of reference for policy-makers, practitioners and academics.

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