

THE CHANGING ROLE OF THE NATIONAL JUDGE IN EU STATE AID CASES ONLINE TRAINING COURSE FOR NATIONAL JUDGES

This advanced interactive online training course aims to shed new light on the role of the national judge in applying EU State aid rules following recent changes. In particular, it will enrich national judges' knowledge of the practical implications of recent case law from the Court of Justice of the EU on their task in applying EU State aid rules. It will also update them on the changes brought about by State Aid Modernisation (SAM) affecting the execution of this task.

Key topics

- What constitutes illegal State aid in EU law?
- Changes to the judges' powers brought by recent case law
- Modernisation of the EU State aid rules affecting national courts
- Exemptions from State aid rules
- Powers of the European Commission v powers of the national courts and the new Procedural Regulation
- Enforcement and recovery
- Remedies

Key features

- Course available in English, French and German
- Thematically categorised video lectures by top State aid experts
- Practical case studies
- Online forum for interaction with fellow judges from across Europe
- Downloadable background documentation
- Quizzes evaluating your State aid knowledge before and after the completion of the course

Who should follow the course?

National judges, assistant and trainee judges with an understanding or prior knowledge of EU State aid law, currently or potentially dealing with the application of State aid rules.



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Outline

1. Notion of aid

- Key takeaways for the national judge from the Commission “Notice on the Notion of State Aid”
- Recent case law on selectivity and other criteria of Art. 107(1) TFEU
- Distinction between State aid and financing the provision of Services of General Economic Interest (SGEI)

2. Exemptions from the application of State aid rules

- Important points from the new General Block Exemption Regulation (GBER) and its practical guide. GBER applicability assessment
- The revised *De Minimis* Regulation

3. Role of national courts in the light of recent case law

- Types of actions, scope of powers on new and existing aid
- Role of national courts pending the Commission investigation
- Cooperation with the European Commission
- The new Procedural Regulation

4. Recovery of aid: latest case law on the role of national courts

- Principles of procedural autonomy, effectiveness, primacy of EU law and *res judicata*
- Amount of recoverable aid, interest
- Delay, failure or impossibility to recover

5. Other remedies

- Challenging the validity of the national measure awarding State aid
- Interim measures
- Actions for damages

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