

# Intensive Workshop

*Infrastructure Funding in Compliance with State Aid Law |  
State Aid for Rescue and Restructuring*

## EXPERT PANEL



Elisabetta RIGHINI  
*Latham and Watkins LLP;  
King's College London*



Manuel MARTINEZ-LOPEZ  
*DG Competition European  
Commission, Brussels*



Antonios BOUCHAGIAR  
*Legal Service, European  
Commission, Brussels*



Andrea BIONDI  
*King's College London*



Gilda CARBONE  
*Presidency of the Council of  
Ministers, Rome*



Robin GRIFFITH  
*Former Partner, Clifford Chance  
LLP, London*



Timothy LYONS QC  
*39 Essex Chambers LLP,  
London*

**Benefit from interactive  
discussion and exchange with  
high-level experts**

10 November 2016  
King's College London, UK

## Infrastructure Funding

- Notion of economic activity
- Application of MEIP to infrastructure
- GBER rules
- Implications for ESI Funds

## Rescue & Restructuring

- Horizontal rules vs. new financial sectors' rules
- Aid for non-financial undertakings
- Assessment of aid: Counterfactual analysis, incentive effect and balancing test

In cooperation with:

**KING'S**  
*College*  
**LONDON**

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

## General information

### OVERVIEW

Following the successful launch of the EStAL Workshop at and in cooperation with the King's College London in 2015, Lexxion Publisher is delighted to announce a follow-up edition discussing again two key topics of EU State Aid Law.

State aid experts from EU and Member States' authorities, private legal practice and academia will elaborate on the compliance rules for Infrastructure Funding with State aid as well as Rescue and Restructuring aid, offering their insights and a maximum of exchange and best practices through an interactive round-table discussion format.

#### **Morning Session: How to Ensure the Compliance of Infra-structure Funding with EU State Aid Law?**

The morning session will focus on the crucial question of what public authorities are still allowed to finance, including recent judgments and their implications for national and EU funding. Additionally, the economic activity and the economic character of the construction of infrastructure will be addressed, considering crucial fields of compliance such as the General Block Exemption Regulation (GBER) & Services of General Economic Interest (SGEI).

#### **Afternoon Session: State Aid for Rescue and Restructuring**

The afternoon session will discuss the Rescue and Restructuring Guidelines by exploring in depth the definition of a "Firm in Difficulty", the balancing test's new filters and the reformed rules on burden sharing and the restructuring temporary support. Furthermore, the assessment of restructuring aid will be analysed.



### YOUR BENEFITS

- ✓ Receive first-hand information and latest updates on recent judgements on EU State aid law from leading experts
- ✓ Become familiar with the rules of financing infrastructure and how to apply them
- ✓ Become acquainted with State aid exemptions under the GBER and SGEI
- ✓ Receive a detailed insight into the Rescue and Restructuring Guidelines and how to apply them in practice
- ✓ Enjoy interactive discussion and exchange of knowledge and experiences in a round-table format
- ✓ Discuss your individual cases and questions in full confidentiality
- ✓ Network with State aid experts from European institutions and different Member States
- ✓ Receive extensive materials: all presentations shown (including online access), confirmation of participation, a selection of corresponding journals published by Lexxion

- ❖ Private legal practitioners
- ❖ Public officials in charge of State aid from:
  - Ministries and other national authorities
  - National Competition Authorities
  - State Aid Monitoring Offices
  - Regional governments
  - National and regional development agencies
- ❖ Public officials in charge of ESI funds from:
  - Managing, certifying and audit authorities
  - Intermediate bodies
- ❖ Representatives from public and private banks
- ❖ Industry representatives and in-house counsels dealing with State aid law
- ❖ Economists
- ❖ Academics

## Programme

09:30 Registration & Welcome Coffee

10:15 Welcome & Introduction

### 10:30 How to Ensure the Compliance of Infrastructure Funding with EU State Aid Law?

- Recent judgments: Implications for national and EU Funding
- Between economic and non-economic activity
- Infrastructure Funding under the new Notion of Aid
- Treatment of different levels owner/operator/user
- MEIP and its application to infrastructure
- Financing Infrastructure under GBER and SGEI
- Funding of Infrastructure by ESI Funds

#### Speakers:

**Elisabetta Righini**, Counsel, Latham and Watkins LLP, Visiting Professor, King's College London, Former Member of Cabinet of Vice-president Joaquín Almunia at European Commission, Brussels

**Antonios Bouchagiar**, Member of the Legal Service, AIDE Team (State aids and dumping), European Commission, Brussels

**Gilda Carbone**, Office for the Coordination in the field of State aid, Department for European Policies, Presidency of the Council of Ministers

#### Chair:

**Andrea Biondi**, King's College London

13:30 Lunch Break



### 14:30 State Aid for Rescue and Restructuring

- Rescue and Restructuring Guidelines and recent judgements
- Recent Commission practice in application of the 2014 R&R Aid Guidelines
- Horizontal rules vs. new financial sectors' rules & lessons learnt
- Aid for rescue and restructuring for non-financial undertakings
- Assessment of aid: Counterfactual analysis, incentive effect and balancing test

#### Speakers:

**Manuel Martinez Lopez**, Deputy Head of Unit, State aid: Industrial restructuring, DG Competition, European Commission, Brussels

**Robin Griffith**, Clifford Chance LLP, London

#### Chair:

**Timothy Lyons QC**, 39 Essex Chambers LLP, London

17:30 Final Discussion & Concluding Remarks

18:00 End of Workshop & Distribution of Confirmations of Participation

#### 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 Workshop. All information concerning questions and cases will be treated confidentially.

#### What participants said about the previous workshop:

"Informative and thought-provoking, giving insights into a crucial topic of State aid."

"Useful and informative workshop. Well worth the time and the cost."

"Benefit of 'workshop' style is that it promotes interesting discussions and exchange of views that is often missed in larger conferences."

"Carry on the excellent work!"



## Visit Lexxion's StateAidHub.eu

The only centralised and free of charge website offers State aid professionals:

- ★ State aid news & analysis
- ★ Networking opportunities at State aid events
- ★ Opinions on recent judgments
- ★ A possibility to share your thoughts on State aid developments

 [www.StateAidHub.eu](http://www.StateAidHub.eu)

 [@StateAidHub](https://twitter.com/StateAidHub)

 [stateaidhub@lexxion.de](mailto:stateaidhub@lexxion.de)

## REGISTRATION FORM

### ESTAL Intensive Workshop

#### *Infrastructure Funding in Compliance with State Aid Law / State Aid for Rescue and Restructuring*

#### VENUE

**Hallam Conference Center**  
44 Hallam Street  
London W1W 6JJ  
United Kingdom

#### PARTICIPATION FEES

- Regular:** € 985,-\*
- 10% discount for ESTAL subscribers**

Please send me information about European State aid law issues for free. I may unsubscribe from this service any time.

\*The participation fee includes Workshop material, drinks and snacks during the breaks and lunch.

#### 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 October 26<sup>th</sup> 2016. 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.

#### Please register with:



#### Lexxion Publisher

Post: Güntzelstraße 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.de](mailto:veit@lexxion.de)  
Online: [www.lexxion.eu/events](http://www.lexxion.eu/events)

\_\_\_\_\_  
Name

\_\_\_\_\_  
Institution

\_\_\_\_\_  
Department/Position

\_\_\_\_\_  
Address

\_\_\_\_\_  
Postal Code/Country

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Fax

\_\_\_\_\_  
E-mail

\_\_\_\_\_  
ESTAL subscription No.

\_\_\_\_\_  
VAT Reg. No.

\_\_\_\_\_  
Date, Signature