The Law of State Aid in the European Union

Edited by
ANDREA BIONDI, PIET EECKHOUT
and
JAMES FLYNN

OXFORD UNIVERSITY PRESS
Contents

Introduction vii
F. G. Jacobs

Stop Press: The Altmark Judgment xv
Tables of Cases xvii
Tables of Legislation xxxvi
Notes on Contributors xlviii

GENERAL ISSUES 1

1. Definition of Aid 3
   Richard Plender QC

2. Can State Aid Control Learn from Antitrust? The Need for a Greater Role for Competition Analysis under the State Aid Rules 41
   Christian Ahlborn and Claudia Berg

3. The Financial Assistance Granted by Member States to Undertakings Entrusted with the Operation of a Service of General Economic Interest 67
   Cesare Rizza

   Malcolm Ross

5. State Aid and Obstacles to Trade 103
   Andrea Biondi and Piet Eeckhout

6. Recent Developments in Commission State Aid Policy and Practice 117
   Maria Rehbinder

7. State Aid Regulation in Candidate Countries: The Case of Poland 133
   Anna Fornalczyk

8. The International Context of EC State Aid Law and Policy: The Regulation of Subsidies in the WTO 149
   Luca Rubini

9. The EEA State Aid Regime 189
   Michael Sánchez Rydelski

SELECTED AREAS 205

10. General Taxation and State Aid 207
    Conor Quigley QC

11. State Aid and Public Undertakings with Specific Reference to the Airline Sector 219
    Konstantinos Adamantopoulos
<table>
<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
<th>Authors</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>State Guarantees as State Aid: Some Practical Difficulties</td>
<td>Mark Friend</td>
<td>231</td>
</tr>
<tr>
<td>13</td>
<td>State Aid and Environmental Protection</td>
<td>Gerry Facenna</td>
<td>245</td>
</tr>
<tr>
<td>14</td>
<td>The Financing of Public Service Broadcasting</td>
<td>Sandra Coppieters</td>
<td>265</td>
</tr>
<tr>
<td></td>
<td><strong>REMEDIES AND ENFORCEMENT</strong></td>
<td></td>
<td>281</td>
</tr>
<tr>
<td>15</td>
<td>Remedies in the European Courts</td>
<td>Leo Flynn</td>
<td>283</td>
</tr>
<tr>
<td>16</td>
<td>The EC State Aid Regime: The Need for Reform</td>
<td>Sir Jeremy Lever KCMG QC</td>
<td>303</td>
</tr>
<tr>
<td>17</td>
<td>The Role of National Courts</td>
<td>James Flynn QC</td>
<td>323</td>
</tr>
<tr>
<td>18</td>
<td>State Aids in the English Courts: Definition and Other Problems</td>
<td>Kelyn Bacon</td>
<td>337</td>
</tr>
<tr>
<td></td>
<td><strong>EPILOGUE</strong></td>
<td></td>
<td>357</td>
</tr>
<tr>
<td>19</td>
<td>The Experience of an English Judge in Handling State Aid Cases</td>
<td>The Hon Mr Justice Silber</td>
<td>359</td>
</tr>
<tr>
<td></td>
<td><strong>Index</strong></td>
<td></td>
<td>363</td>
</tr>
</tbody>
</table>