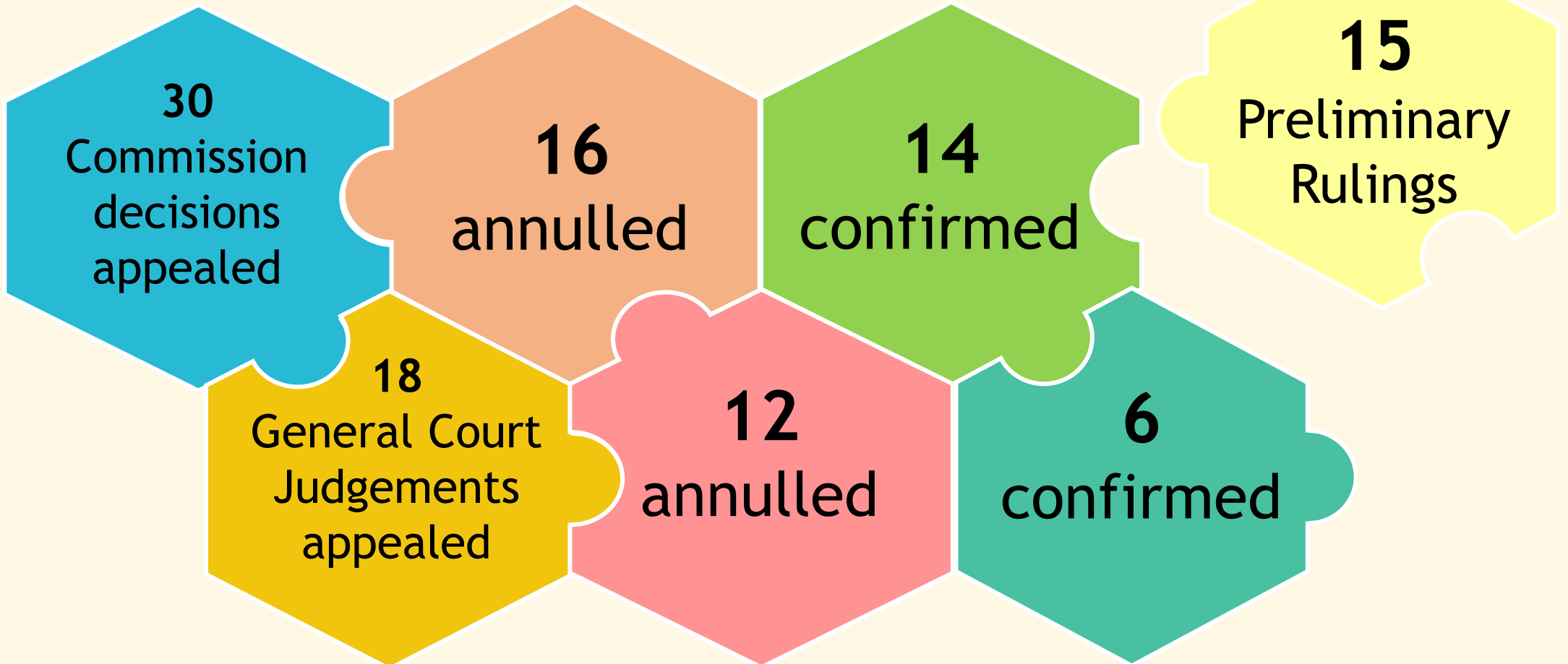


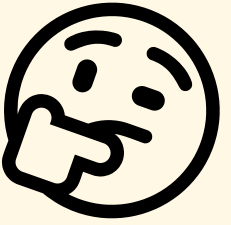
**Chillin' State Aid Workshop: Charting the Territory**  
**Procedural and Institutional Issues**  
*Brussels 14 June 2019*

**Possible winds of change in judicial review:  
Causes and Implications?**

*Maria J. Segura Catalán*

# Some Numbers since early 2017





**German EEG  
No state  
resources**

**Eesti Pagar  
GBER and  
recovery  
obligation by  
national courts**

**Montessori  
Admissibility  
of direct  
actions by  
competitors**

**Hinkley Point  
Public interest  
objective  
compatible  
irrespective of  
operating nature**

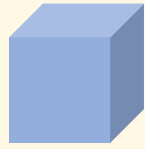
**Football  
Assessment  
of the whole  
context**


**Marinvest  
Effect on  
trade - Notice  
of Aid**

**EDF  
tax debt  
MEOP**

**Good Will  
Beneficiaries &  
Selectivity**

# Causes

 State aid knowledge and awareness

 SAM & GBER

 Complicated cases

 Scope of Court's review - more facts oriented?

 Others



# Implications

Technicalities /  
procedures vs  
substance /  
material  
assessment

1

Increased number  
of formal  
investigations and  
longer state aid  
procedures

2

3

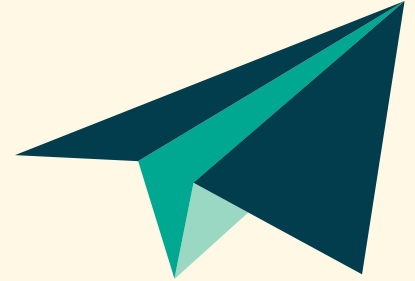
Impact on recovery

4

Role of  
beneficiaries and  
competitors within  
the administrative  
procedure

5

Case handling  
practices &  
revision  
mechanisms





**Judicial review is cornerstone as quasi-legislative instance**



**Extension of judicial review to other state aid matters (pre-notification, rejection of complaints, recovery)**



**Judicial review is a central tool for accountability**



**Judicial review is key regarding far reaching investigatory and discretionary powers of the Commission**

*“When the winds of change blow,  
some people build walls while others build windmills”*

Chinese proverb

Thank you for your attention!