



Highlights

Commission proposes Council Regulation on State aid to close uncompetitive coal mines

The European Commission has approved a proposal for a Council Regulation on State aid to facilitate the closure of loss-making hard coal mines in the EU by 1st October 2014. Any further operating aid to the sector will be conditional on the presentation of a closure plan for the loss-making mines. The Member States concerned will be able to assist with the counselling and training of the affected workers and ensuring that the mining sites are properly cleaned up and safe.

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Commission orders recovery of illegal state aid from Banco Privado Português

The European Commission has concluded that a State guarantee on a €450 million loan, initially granted in 2008, to Banco Privado Português (BPP) constituted illegal and incompatible State aid and ordered Portugal to recover the aid. BPP had its licence revoked and entered liquidation proceedings in April. Portugal, which had to pay the loan, has filed the necessary claims to enforce its privileged and priority rights over the collateral it holds over BPP to recover the amount. It has four months to inform the Commission of the steps it has taken to also try to recover the difference between the guarantee fee paid by BPP and what it should have paid.

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State aid: Commission clears extension of bank support measures in Portugal and Spain

The European Commission has extended until 31 December 2010 its authorisation under EU state aid rules of the Portuguese bank guarantee and bank recapitalisation schemes and of the Spanish recapitalisation measures in favour of the banking sector. The extended Portuguese guarantee scheme requires the banks to pay higher premiums for the guarantees granted by the State. This is to encourage banks to finance themselves without state support and to limit distortions of competition. The Commission has already extended under the same conditions its authorisation of bank guarantee schemes in Sweden, Germany, Austria, Latvia, Ireland, Spain, Denmark, The Netherlands, Slovenia, Greece and Poland.

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State aid: Commission approves modified Swedish scheme in support of newspapers

The European Commission has concluded that a changed regime to support newspapers in Sweden is now in line with EU state aid rules. In particular, the method for calculating state support to metropolitan newspapers has been fundamentally changed and the aid intensities significantly reduced, while preserving the objective of media pluralism.

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In the issue:

- [Decisions to open formal investigation >>](#)
- [Final Commission decisions >>](#)
- [Other types of decisions >>](#)
- [Block exemptions >>](#)
- [Court of Justice of the European Union >>](#)
- [European Economic Area >>](#)
- [Additional points of interest >>](#)

State aid: Commission approves long-term funding mechanism for France Télévisions

The European Commission has approved the annual funding mechanism for France Télévisions, which is deemed to comply with the European Union's state aid rules. Under this mechanism, France Télévisions receives a share of the revenue from the public service broadcasting contribution (previously the television licence, approved by the Commission in 2005) plus a subsidy from the national budget. This annual subsidy is based on the legislation on the new public broadcasting service, under which advertising on public channels will be reduced and ultimately abolished altogether by the end of 2011. After a detailed investigation, the Commission has concluded that the measure complies with the rules on state aid for public broadcasting services, particularly as regards the mechanisms for preventing over-compensation for the costs of the public service mission.

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State aid: Commission approves new tax-based funding system for Spanish public broadcaster RTVE

The European Commission has approved the new tax-based funding system for the Spanish public broadcaster RTVE, on which it had opened a formal investigation under EU state aid rules in December 2009 (see [IP/09/1861](#)). Spain abolished advertising and other commercial activities of RTVE and replaced this source of income by new taxes on TV and telecommunications operators. The Commission had doubts concerning the compatibility of the new taxes with EU law, in particular the rules on electronic communications networks and services. However, the Commission has now concluded that the compatibility of the aid to RTVE is not affected by the legality of the new taxes and that the measure is in line with the state aid rules, because it ensures that RTVE will not be overcompensated for providing public broadcasting services.

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State aid: Commission opens in-depth investigation into aid to French aeronautic suppliers

The European Commission has opened a formal investigation procedure under EU State aid rules into the French 'Aero 2008' measure, which offers exchange rate risk insurance to companies supplying parts to aircraft manufacturers. The Commission doubts that the insurance is provided on market terms and, if it is not, that it is in line with EU State aid rules. The opening of an in-depth investigation gives interested parties the possibility to submit comments. It does not prejudge the outcome of the investigation. It will allow the Commission to evaluate if the measure distorts competition.

[Read more](#)

State aid: Commission maintains higher regional aid ceilings for Hainaut (Belgium), Dytiki Makedonia and Kentriki Makedonia (Greece), and Basilicata (Italy)

The European Commission has decided, under EU state aid rules, to allow the regions of Hainaut in Belgium, Dytiki Makedonia and Kentriki Makedonia in northern Greece, and Basilicata in southern Italy, to continue to award regional aid at a basic intensity of 30 % from 1 January 2011 onwards. As from that date, the regional aid ceiling applicable in the 12 other regions that were allowed to maintain higher regional aid ceilings because their GDP per capita had been increased only artificially after the accession of ten Member States on 1 May 2004 (so-called statistical effect regions), which are located in Germany, Greece, Spain, Austria, Portugal and the UK, will be reduced from 30 % to 20 %. This decision is based on a review of statistical data on GDP provided by Eurostat.

[Read more](#)

Decisions to open formal investigation

1. Decisions taken by the Commission

Country	Title	Case number	Objective	Decision date
DG Competition cases				

France	Système de couverture dollar	C 18/2010 (ex NN 20/2010)		20.07.2010
Germany	Alleged aid to "Zweckverband Tierkörperbeseitigung" (association for disposal of dead animal bodies)	C 19/2010 (ex NN 23/2010)		20.07.2010
Italy	Firmin srl	C 17/2010 (ex N 315/2009)	Environmental aid	20.07.2010
Italy	Société de gestion de l'aéroport de Stretto – SOGAS S.P.A.	C 20/2010 (ex NN 32/2010)		20.07.2010

2. Decisions pending OJ publication

[Click here to see the full list](#)

3. Decisions published in the OJ from 22.06.2010 to 22.07.2010 – Formal comments period running

* Where the last day of the public comments period falls on a public holiday in a Member State, the deadline for comments of parties residing in that Member State ends on the following working day.

Country	Title/link to documents	Case number	Objective	Decision date
DG Competition cases				
Bulgaria	Deferral and rescheduling of liabilities of Ruse Industry OJ C 187 of 10.07.2010, p. 7 bg es cs da de et el en fr it lv lt hu mt nl pl pt ro sk sl sv Press release Deadline for comments*: 10.08.2010	C 12/2010 (ex N 389/2009)	Restructuring aid	14.04.2010
DG Agriculture cases				
Belgium	Aide à l'enlèvement et à la destruction des animaux trouvés morts OJ C 191 of 15.07.2010, p. 12 bg es cs da de et el en fr it lv lt hu mt nl pl pt ro sk sl sv Press release Deadline for comments*: 16.08.2010	C 1/2010 (ex NN 56/2007)		13.01.2010

Final Commission decisions

1. Decisions taken by the Commission

1.1. Decisions to close formal investigation

Country	Title	Case number	Objective	Decision date
DG Competition cases				
France	Subvention pluriannuelle pour France Télévisions <i>positive decision</i>	C 27/2009	Services of general economic interest	20.07.2010
Spain	New tax-based funding system for public broadcasting in Spain <i>positive decision</i>	C 38/2009	Services of general economic interest	20.07.2010
Portugal	Restructuring of BPP <i>negative decision with recovery</i>	C 33/2009	Remedy for a serious disturbance in the economy	20.07.2010

1.2. No objection decisions

Country	Title	Case number	Objective	Decision date
DG Competition cases				
Austria	Individual Aid for the Remediation of the Contaminated Site in Unterkärnten (AT)	N 197/2010	Environmental aid	20.07.2010
Austria	Indemnity guarantee for Albertina exhibition	N 275/2010	Heritage conservation	22.07.2010
Estonia	Establishment of a Sustainable Infrastructure Permitting Estonia-wide Broadband Internet Connection (EstWin project) Press release	N 196/2010	Sectoral development aid	20.07.2010
France	Carte des aides à finalité régionale 2007-2013 Troisième utilisation de la réserve nationale de zonage	N 146/2010	Regional development aid	20.07.2010
France	Création d'une station de radio locale France Bleu Maine	N 95/2010	Services of general economic interest	22.07.2010
Germany	Subsidies for training and qualification of prisoners in Saxony <i>No aid</i>	N 145/2010	Training aid	20.07.2010
Germany	LIP - Solibro GmbH – DE Press release	N 641/2009	Regional development aid	20.07.2010

Hungary	Amendment of Method to calculate the aid element in guarantees and Method to calculate the aid element in agricultural guarantees (to be applied by Rural Credit Guarantee Foundation) (State Aid N 201 b/2007 and State Aid N 125/2008 – Hungary)	N 705/2009	SME aid	20.07.2010
Ireland	Amendment to the Irish regional aid map 2007-13	N 130/2010	Regional development aid	20.07.2010
Netherlands	Development of marginal offshore gas fields	N 718/2009	Sectoral development aid	20.07.2010
Poland	Global e-Business Operations Sp. z o.o.	N 200/2010	Regional development aid	22.07.2010
Spain	State loan for R&D to ARESA (S19 Internal Structure)	N 6/2010	Research and development aid	20.07.2010
Spain	State loan for R&D to ARESA (VTP)	N 5/2010	Research and development aid	20.07.2010
Spain	ES - LIP - Silicio Solar Press release	N 285/2009	Regional development aid	20.07.2010
United Kingdom	Amendment to the Renewables Obligation – Scotland (wave and tidal stream generation)	N 259/2010	Environmental aid	22.07.2010
DG Agriculture cases				
Bulgaria	Compensation of losses incurred by agricultural producers for totally devastated areas as a result of natural disasters or adverse weather conditions	N 131/2010		20.07.2010
Czech Republic	Partial refund of excise duties	NN 26/2010	Tax exemptions under Directive 2003/96/EC	20.07.2010
Estonia	Measure 2.7 of the Estonian Rural Development Programme 2007-2013 'Natura 2000 support to private forest owners'	N 213/2010	Environmental aid	16.07.2010
France	Aides de l'Agence de l'eau Artois-Picardie aux engagements agro environnementaux dans le bassin Artois Picardie (EAEAP)	N 414/2009	Agri-environmental commitments	16.07.2010

2. Public versions of decisions to close formal investigation*

* Since the OJ publication of no objection/no aid decisions follows very shortly their publication on the website, this section of the e-News focuses only on decisions to close formal investigations. For the latest texts of no objection/no aid decisions please look section 3 "Decisions published in the OJ".

Country	Title	Case number	Objective	Decision date
DG Competition cases				

Greece	Olympic Airways/Olympic Airlines <i>Negative decision with recovery</i>	C 61/2007 (ex NN 71/2007)		17.09.2008
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3. Decisions published in the OJ

3.1. Decisions to close formal investigation

Country	Title/link to documents	Case number	Objective	Decision date
DG Competition cases				
Belgium	Asset relief and second recapitalisation for KBC OJ L 188 of 10.07.2010, p. 24 bg es cs da de et el en fr it lv lt hu mt nl pl pt ro sk sl fi sv Press release	C 18/2009 (ex N 265/2009)	Remedy for a serious disturbance in the economy	18.11.2009
Germany	Landesbank Baden-Württemberg OJ L 188 of 10.07.2010, p. 1 bg es cs da de et el en fr it lv lt hu mt nl pl pt ro sk sl fi sv Press release	C 17/2009 (ex N 389/2009)	Remedy for a serious disturbance in the economy	15.12.2009
Netherlands	Exemption from environmental taxes for ceramic producers <i>negative decision without recovery</i> OJ L 186 of 20.07.2010, p. 32 bg es cs da de et el en fr it lv lt hu mt nl pl pt ro sk sl fi sv Press release	C 5/2009 (ex N 210/2008)	Environmental aid	15.12.2009

3.2. No objection decisions

* Decisions not to raise objections are frequently grouped together in one single document for publication in the Official Journal. Since the link can only be made to the top of the first page of the document, you may have to scroll down in the document to find a particular case.

Country	Title/link to documents*	Case number	Objective	Decision date
DG Competition cases				
Germany	Förderung der Einführung eines interoperablen Fahrgeldmanagements OJ C 194 of 17.07.2010, p. 3 bg es cs da de et el en fr it lv lt hu mt nl pl pt ro sk sl fi sv	N 171/2010	Research and development	10.06.2010
Italy	Friuli Venezia Giulia - Développement du transport combine OJ C 194 of 17.07.2010, p. 2 bg es cs da de et el en fr it lv lt hu mt nl pl pt ro sk sl fi sv	N 645/2009		10.06.2010

Italy	Friuli Venezia Giulia - Aid for the setting up of rolling-motorway services OJ C 194 of 17.07.2010, p. 2 bg es cs da de et el en fr it lv lt hu mt nl pl pt ro sk sl fi sv	N 644/2009	Sectoral development aid	10.06.2010
Italy	Friuli Venezia Giulia - Measures to develop intermodality OJ C 194 of 17.07.2010, p. 1 bg es cs da de et el en fr it lv lt hu mt nl pl pt ro sk sl fi sv	N 643/2009	Sectoral development aid	10.06.2010
Sweden	Third prolongation of Swedish bank guarantee scheme OJ C 194 of 17.07.2010, p. 4 bg es cs da de et el en fr it lv lt hu mt nl pl pt ro sk sl fi sv	N 207/2010	Remedy for a serious disturbance in the economy	15.06.2010

Other types of decisions

Country	Title/link to documents*	Case number	Objective	Decision date
Decisions taken by the Commission				
DG Competition cases				
Sweden	Swedish press aid <i>Existing aid</i>	E 4/2008	Sectoral development aid	20.07.2010

Block exemptions

[Block exemption Information sheets published in the OJ and/or in the State aid register between 15.07.2010 and 22.07.2010](#)

Court of Justice of the European Union

* In order to consult the available languages of documents uploaded in the Curia website, please click on the earth symbol on the left side toolbar.

1. Court of Justice

- none -

2. General Court

Court case*	Parties	Country	Type of act	Date	Related case
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T-228/10 OJ C 195 of 17.07.2010, p. 28 bg es cs da de et el en fr it lv lt hu mt nl pl pt ro sk sl fi sv	Telefonica v Commission	Spain	Action	21.05.2010	C 45/2007 (ex NN 51/2007) - Amortization of financial goodwill for acquisitions of foreign target
T-236/10 OJ C 195 of 17.07.2010, p. 31 bg es cs da de et el en fr it lv lt hu mt nl pl pt ro sk sl fi sv	Asociación Española de Banca v Commission	Spain	Action	21.05.2010	C 45/2007 (ex NN 51/2007) - Amortization of financial goodwill for acquisitions of foreign target
T-227/10 OJ C 195 of 17.07.2010, p. 28 bg es cs da de et el en fr it lv lt hu mt nl pl pt ro sk sl fi sv	Banco Santander v Commission	Spain	Action	18.05.2010	C 45/2007 (ex NN 51/2007) - Amortization of financial goodwill for acquisitions of foreign target
T-234/10 OJ C 195 of 17.07.2010, p. 30 bg es cs da de et el en fr it lv lt hu mt nl pl pt ro sk sl fi sv	Ebro Puleva v Commission	Spain	Action	18.05.2010	C 45/2007 (ex NN 51/2007) - Amortization of financial goodwill for acquisitions of foreign target
T-207/10 OJ C 195 of 17.07.2010, p. 20 bg es cs da de et el en fr it lv lt hu mt nl pl pt ro sk sl fi sv	Deutsche Telekom v Commission	Germany	Action	06.05.2010	C 45/2007 (ex NN 51/2007) - Amortization of financial goodwill for acquisitions of foreign target
Joined cases T-128/08 and T-241/08 OJ C 195 of 17.07.2010, p. 17 bg es cs da de et el en fr it lv lt hu mt nl pl pt ro sk sl fi sv	CBI and ABISP v Commission	Belgium	Order	05.05.2010	Reference for a preliminary ruling

European Economic Area

Based on the Agreement on the European Economic Area (EEA), the EFTA States participating in the EEA have entrusted the EFTA Surveillance Authority and the EFTA Court with similar decision making powers to that of the Commission and the European Court of Justice, respectively, in the field of state aid for the EFTA States.

1. Decisions of the EFTA Surveillance Authority

Country	Title/link to documents*	Case number	Objective	Decision date
Decision to open formal investigation – formal comments period running				
* Where the last day of the public comments period falls on a public holiday in a Member State, the deadline for comments of parties residing in that Member State ends on the following working day.				
Norway	EFTA Surveillance Authority Decision No. 538/09/COL of 16 December 2009 to initiate the procedure provided for in Article 1(2) in Part I of Protocol 3 to the Surveillance and Court Agreement with regard to the notification of sale of land in the municipality of Asker OJ C 184 of 08.07.2010, p. 20 bg es cs da de et el en fr it lv lt hu mt nl pl pt ro sk sl fi sv Deadline for comments*: 09.08.2010	67392 (Dec. No 538/09/COL)	Sale of land	16.12.2009
Norway	EFTA Surveillance Authority Decision No. 537/09/COL of 16 December 2009 to initiate the procedure provided for in Article 1(2) in Part I of Protocol 3 to the Surveillance and Court Agreement with regard to the financing of the fitness centre at the Kippermoen Leisure Centre OJ C 184 of 08.07.2010, p. 5 bg es cs da de et el en fr it lv lt hu mt nl pl pt ro sk sl fi sv Deadline for comments*: 09.08.2010	67385 (Dec. No 537/09/COL)		16.12.2009
Norway	Norsk Film group OJ C 174 of 01.07.2010, p. 3 bg es cs da de et el en fr it lv lt hu mt nl pl pt ro sk sl fi sv Press release Deadline for comments*: 02.08.2010	67377 (Dec. No 491/09/COL)	Film industry	02.12.2009
Newly adopted decisions				
Public versions of decisions made available				
Iceland	Rescue aid scheme by the Central Bank of Iceland on savings banks en	67159 (Dec No 253/10/COL)	Financial crisis aid	21.6.2010
Norway	Transfer of property from Narvik municipality to LKAB en	66330 (Dec No 236/10/COL)		16.6.2010
Decisions published in the OJ				
Norway	Financing of the fitness centre at the Kippermoen Leisure Centre en , de	67385 (Dec No 537/09/COL)		16.12.2009

Norway	Sale of land in the municipality of Asker en, de Deadline for comments: 9.8.2010	67392 (Dec No 538/09/COL)	Sale of land	16.12.2009
Norway	Norsk Film group en, de Deadline for comments: 2.8.2010	67377 (Dec No 491/09/COL)	Film industry	2.12.2009

2. EFTA Court

- none -

3. State Aid New Legislation

- none -

4. Other EEA points of interest

- none -

Additional points of interest

EU Appeals 'Airbus' Panel Report in Large Civil Aircraft Dispute

The EU has today lodged its appeal with the WTO Appellate Body on the panel report concerning Airbus support (DS316) issued on 30 June 2010. While the report sides with the EU in rejecting a significant number of US claims, there are other aspects of the report which need to be corrected or clarified.

[Read more](#)

European Commission and IMF welcome the reaffirmed support of parent banks to their Romanian affiliates

In a meeting of the European Bank Coordination Initiative held on 22 July 2010 in Brussels, the parent banks of the nine largest foreign-owned banks operating in Romania reaffirmed the support to their Romanian affiliates. These commitments, along with the multilateral financial assistance package, are helping Romania consolidate investor confidence and return the economy to a sustainable growth path. Participants agreed that the strengthening of Romania's external position allows for a degree of flexibility concerning the exposure commitments to 95% compared to end-March 2009.

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This e-News is issued every week to present the latest developments in the area of State aid. It features information on new legislative texts and proposals, decisions of the European Commission and the Courts of the European Union and other state aid-related documents and events. A great deal of additional information on State aid matters is available on the Internet. It can be accessed through the Europa server: http://ec.europa.eu/competition/index_en.html

Other documents related to the cases, can be found under the link to the State aid Register: http://ec.europa.eu/competition/state_aid/register/

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