



European Commission
Directorate-General for Competition



Brugge

College of Europe
Collège d'Europe



Natolin

Global Competition Law Centre

**THE REFORM OF STATE AID RULES
ON SERVICES OF GENERAL ECONOMIC INTEREST**

**FROM THE 2005 MONTI-KROES PACKAGE
TO THE 2011 ALMUNIA REFORM**

Conference's Scientific Direction: Massimo Merola

30 September 2011, Bruges

8:30 Registration and coffee

MORNING SESSION

CHAIR: Bernard van de Walle de Ghelcke, President of the GCLC

9:00 WELCOME WORDS AND PRESENTATION OF THE CONFERENCE
Paul Demaret, Rector of the College of Europe

9:10 HELPING EUROPE TO DELIVER BETTER AND MORE EFFICIENT PUBLIC SERVICES
Joaquín Almunia, Vice-President of the European Commission and
Commissioner for Competition

9:40 Panel of Discussants:
Mario Monti, President of University Bocconi [invited]
Annie Jarraud-Vergnolle, Member of the French Senate [invited]
Francoise Castex, Member of the European Parliament, Chair of the Public
Services Intergroup
Michel Mercadié, Président d'Honneur de la FEANTSA, Président du
Groupe de travail sur les services d'intérêt général de la Plate-forme sociale
européenne

10:10 Q&A time

- 10:30 COFFEE BREAK
- 10:50 TREATY RULES ON SGEI: BASIC CONCEPTS AND CASE LAW OF THE EU COURTS
- IS THE CASE-LAW (*HOFNER, ALTMARK, ETC.*) STILL WORKABLE AND A SUFFICIENT GUIDELINE?
 - THE NOTION OF ECONOMIC ACTIVITY AND CONTESTABLE MARKETS;
 - WHAT IS THE IMPACT, IF ANY, OF THE LISBON TREATY?

Juliane Kokott, Advocate General, Court of Justice [invited]

- 11:30 Discussant: **Bernardus Smulders**, Director, Legal Service of the European Commission

- 11:45 THE NEW SGEI PACKAGE:
- OBJECTIVES, GENERAL ARCHITECTURE
 - SIMPLIFICATION, FLEXIBILITY AND LEGAL CERTAINTY
 - THE COMMUNICATION CLARIFYING THE LEGAL CONCEPTS;
 - THE NEW DECISION AND THE AD HOC “DE MINIMIS” REGULATION
 - THE NEW FRAMEWORK

Speakers: **Carles Esteva Mosso**, Director, DG COMP
Nicola Pesaresi, Head of Unit, DG COMP

- 12:45 Discussants: **Kristina Haverkamp**, Head of Unit European State AidControl Policy, German Federal Ministry for Economics and Technology
Damien Geradin, Professor, College of Europe, and Partner, Covington and Burling

- 13:00 Q&A TIME

- 13:15 LUNCH (SERVED AT THE CONFERENCE PREMISES)

AFTERNOON SESSION

CHAIR: **Jacques Bourgeois**, Professor, College of Europe and GCLC, and Partner, Wilmerhale

- 14:00 MAIN AREAS OF CONCERN FROM AN ECONOMIC AND LEGAL PERSPECTIVE
- COMPENSATION METHODOLOGY (REASONABLE PROFIT)
 - NON-MONETARY BENEFITS (EXCLUSIVE/SPECIAL RIGHTS)
 - EFFICIENCY INCENTIVE/EFFICIENCY GAINS
 - A DE MINIMIS RULE SPECIFICALLY TAILORED TO THE SGEI: PROS AND CONS
 - THE SPECIFIC PROBLEMATIC OF THE ACT OF ENTRUSTMENT
 - LEGAL CERTAINTY, SIMPLIFICATION AND NOTIFICATION PROCEDURE

- Speakers: **Lorenzo Coppi**, Partner, Compass Lexecon
José Luis Buendía, Partner, Garrigues
- 14:50 Discussants: **Stéphane Rodriguès**, Partner, Lallemand & Legros
Valerie Guigue-Koeppen, Case Handler, DG COMP
- 15:10 Q&A TIME
- 15:30 COFFEE BREAK
- 15:45 THE NEW FRAMEWORK: TOWARDS A CLEARER INTERACTION BETWEEN THE STATE AID RULES AND THE RULES ON PUBLIC PROCUREMENT. CAN THE DISTINCTION BETWEEN LARGE NETWORK SGEI AND MINOR LOCAL SGEI PLAY A ROLE IN THIS RESPECT?
- Speaker: **Klaus Wiedner**, Head of Unit, Directorate-General Internal Market, Public Procurement Legislation
- 16:05 Discussants:
Tanja Stuve, Council of European Municipalities and Regions, Co-chair of working group on public services and procurement
Jacques Pelissard, President, Association of Mayors of France [invited]
Antonio Guerra, Of Counsel, Uría Menendez, Madrid
- 16:25 A BROADER DEFINITION OF SOCIAL SERVICES (SSGI). DEVISING A SPECIFIC TREATMENT?
- Speaker: **Wolf Sauter**, Professor, University of Tilburg
- 16:45 Discussants:
Jorge Nuño Mayer, Secretary General, Caritas;
Thomas Jestaedt, Partner, Jones Day.
- 17:05 Q&A TIME
- 17:15 ROUNDTABLE DISCUSSION - THE IMPACT OF THE REFORM ON THE MAIN SECTORS CONCERNED: TRANSPORT, POSTAL, ENERGY, AUDIOVISUAL, SOCIAL
- Moderator: **Jacques Derenne**, GCLC; University of Liège; Partner, Hogan Lovells
- Participants:
Johan-Christian Pielow, Professor, Ruhr-Universität Bochum

Dirk Tirez, General Counsel, bpost
Rainier d'Haussonville, Director for European affairs, Veolia
Environnement
María Lopez Contreras, Universidad San Pablo-CEU, Madrid
Morten Nissen, Partner, Bird & Bird, Brussels

18:00 CONCLUDING REMARKS

Speakers:

Gert-Jan Koopman, Deputy Director General for State Aid, DG COMP

Massimo Merola, Professor, College of Europe and GCLC; Partner, Bonelli
Erede Pappalardo

END OF THE CONFERENCE

REGISTRATION FORM

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Oud Sint-Jan, Mariastraat 38, 8000 Bruges

Please register online at <http://gclc.coleurope.eu/SGEICConference>; or alternatively by e-mail (info.gclc@coleurope.eu) or fax (050/477.400). Registration is open until 25 September 2011

Name:

Position:

Company/Institution:

Address:

V.A.T. number:

Telephone:

Fax:

E-mail:

Invoice for: Company
 Participant

Fee: 200 €: Normal rate
 100 €: Rate for academics and public officials
 Free registration for sponsors of the GCLC (and students, subject to availability)

Payment: I have transferred the amount of _____ € (incl. VAT) to the 001-4152050-41 bank account (BNB Paribas Fortis, Vlamingstraat 78, BE-8000 Brugge – IBAN Number: BE88 0014 1520 5041 – SWIFT: GEBABEBB).

Date: Signature:.....

FURTHER INQUIRIES

Tarik Hennen

Executive Secretary

Email: info.gclc@coleurope.eu

Website: <http://gclc.coleurope.eu>

VENUE

Oud Sint-Jan

Mariastraat, 38

B-8000 Brugge



Directions and general information available at: <http://www.oudsintjan.eu/en/>

