Highlights

Commission temporarily approves a second recapitalisation in favour of NLB and opens in-depth investigation on the restructuring plan of the bank

The European Commission has temporarily approved, under EU State aid rules, an additional capital injection of €382.9 million to Nova Ljubljanska Banka Group (NLB) for reasons of financial stability. At the same time, the Commission has opened an in-depth investigation into the bank’s restructuring plan that was submitted after the first recapitalisation (see IP/11/264). At this stage, the Commission has doubts that the plan adequately addresses the causes for NLB’s distress or foresees sufficient safeguards to limit the distortions of competition created by the state support. The opening of an in-depth investigation gives interested third parties the opportunity to comment on the measures under examination; it does not prejudge the outcome of the investigation.

Read more

The New State Aid Rules for Services of General Economic Interest (SGEI)

On 20 December 2011, following extensive public consultations, the European Commission adopted a new package of State aid rules for services of general economic interest (SGEI). This article offers an overview of the new SGEI package. More detailed articles on the instruments of the package, as well as an article providing a specific example of how the rules are applied will follow in the coming months.

For more information, click here

The SGEI Communication

This article is the second in a series explaining the rationale behind the new SGEI package, highlighting the most important features and novelties and introducing the new texts. The Communication2 is a new instrument without a counterpart in the 2005 SGEI package. It is an interpretative text aiming to clarify key concepts of the notion of aid in the field of SGEI. It explains both general State aid concepts with particular relevance for SGEI and SGEI-specific concepts. Public authorities and service providers have been asking for clear explanations of the core principles for several years, and the Communication addresses these requests.

For more information, click here

In this issue:

- New legislation >>
- Draft legislation and public consultations >>
- Decisions to open formal investigation >>
- Final Commission decisions >>
- Block exemptions >>
- European Parliament >>
- Court of Justice of the European Union >>
- European Economic Area >>
- Additional points of interest >>

New legislation

Corrigendum to Commission notice on current State aid recovery interest rates and reference/discount rates for 27 Member States applicable as from 1 July 2008 (OJ C 166, 1.7.2008)

OJ C 197 of 05.07.2012, p. 33

Draft legislation and public consultations

Subject | Deadlines for comments | Further information
---|---|---
Revision of the Guidelines on public funding to broadband networks  01.09.2012  DG Competition

Consultation on The General Block Exemption Regulation (the GBER)  12.09.2012  DG Competition

Consultation on the Review of the Communication on short term export credit insurance  21.09.2012  DG Competition

All public consultations:  DG Competition  
DG Agriculture  
DG Maritime Affairs and Fisheries

Decisions to open formal investigation

1. Decisions taken by the Commission

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<th>Title</th>
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</table>
| Denmark | The transfer of property-related assets from FIH to the FSC  
Partly decision to open formal investigation  
Partly no objection decision  
Press release | SA.34445 | Remedy for a serious disturbance in the economy | 29.06.2012 |
| Slovenia | Second recapitalisation of NLB  
Partly decision to open formal investigation  
Partly no objection decision  
Press release | SA.34937 | Remedy for a serious disturbance in the economy | 02.07.2012 |
| Slovenia | Restructuring of NLB  
Press release | SA.33229 | Remedy for a serious disturbance in the economy | 02.07.2012 |

2. Decisions pending OJ publication

Click here to see the full list

3. Decisions published in the OJ from 05.06.2012 to 05.07.2012 – 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.

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<thead>
<tr>
<th>Country</th>
<th>Title/link to documents</th>
<th>Case number</th>
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| Romania | Alleged preferential electricity tariffs for ArcelorMittal  
OJ C 189 of 29.06.2012, p. 3  
bg es cs da de et el en fr it lv hu mt nl pt ro sk sl fi sv  
Deadline for comments*: 30.07.2012  
| Sweden | Västerås airport (Ryanair)  
OJ C 172 of 16.06.2012, p. 27  
bg es cs da de et el en fr it lv hu mt nl pt ro sk sl fi sv  
Deadline for comments*: 16.07.2012  
Press release | SA.18857 | 25.01.2012 |

Final Commission decisions

1. Decisions taken by the Commission

1.1. Decisions to close formal investigation
1.2. No objection decisions

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<td>Cyprus</td>
<td>Development of Cyprus Handicraft</td>
<td>SA.34906</td>
<td>Heritage conservation aid</td>
<td>04.07.2012</td>
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<td>Finland</td>
<td>Aid for newspapers - Finland - prolongation</td>
<td>SA.34885</td>
<td>Sectoral development aid</td>
<td>04.07.2012</td>
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<td>Germany</td>
<td>R&amp;D-scheme &quot;Mikrosystemtechnik&quot;, Alteration to existing State aid N 600/2008</td>
<td>SA.34878</td>
<td>R&amp;D aid</td>
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<td>Germany</td>
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<td>Netherlands</td>
<td>Amendment to the start-up aid project to new combined transport services based on Twin hub railway network (SA. 31981)</td>
<td>SA.34743</td>
<td>Sectoral development aid</td>
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<td>Poland</td>
<td>Fifth prolongation of Polish bank recapitalisation scheme</td>
<td>SA.34812</td>
<td>Remedy for a serious disturbance in the economy</td>
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<td>Spain</td>
<td>Extension of the Reintroduced Spanish Guarantee scheme for H2 2012</td>
<td>SA.34904</td>
<td>Remedy for a serious disturbance in the economy</td>
<td>29.06.2012</td>
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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".

<table>
<thead>
<tr>
<th>Country</th>
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<td></td>
<td>Partly decision does not constitute aid (after formal investigation procedure), Party withdrawal of notification (after formal investigation procedure), Partly Other</td>
<td>(ex N 433/2009)</td>
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3. Decisions published in the OJ

3.1. Decisions to close formal investigation

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<th>Objective</th>
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<tr>
<td>DG Competition cases</td>
<td></td>
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Belgium  Mesures en faveur de La Poste belge  
Partly positive decision  
Partly negative decision with recovery  
OJ L 170 of 29.06.2012, p. 1  
Press release  
Technical Memo  
MEMO/12/38  
SA.14588  
(C 20/2009, ex N 763/2002)  
Services of General Economic Interest  
25.01.2012

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.

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<tr>
<th>Country</th>
<th>Title/link to documents*</th>
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<tr>
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| Finland        | Finnish short term export credit insurance scheme – 2012  
OJ C 196 of 04.07.2012, p. 6  
SA.33992  | Promotion of export and internationalisation  | 12.06.2012 |
| France         | Modification du dispositif d'exonération de la taxe spéciale sur les conventions d'assurances des contrats d'assurance maladie dits «solidaire et responsables»  
OJ C 196 of 04.07.2012, p. 5  
SA.33914  | Social support to individual consumers  | 25.01.2012 |
| Germany        | Alleged aid in favour of Klausner, Bavaria  
OJ C 196 of 04.07.2012, p. 8  
SA.19045  | No aid  | 15.02.2012 |
| Netherlands    | "Omnibus Decentraal - Module 9: Risicokapitaal voor het MKB"  
OJ C 196 of 04.07.2012, p. 7  
SA.34102  | Risk capital aid  | 13.03.2012 |
| Netherlands    | Complaint Delftship  
OJ C 196 of 04.07.2012, p. 3  
SA.27187  | R&D aid  | 10.05.2011 |
| Spain          | Prolongation of horizontal aid scheme for shipbuilding  
OJ C 196 of 04.07.2012, p. 10  
SA.34584  | Sectoral development aid  | 30.05.2012 |
| Spain          | Prolongation of financing scheme for the export of ships  
OJ C 196 of 04.07.2012, p. 9  
SA.34583  | Sectoral development aid  | 30.05.2012 |
| United Kingdom | Enterprise Investment Scheme (EIS) and Venture Capital Trusts Scheme (VCTs)  
OJ C 196 of 04.07.2012, p. 4  
SA.33849  | Risk capital aid  | 30.05.2012 |

**DG Agriculture cases**

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| Cyprus         | Projet de contrôle de la maladie scrapie des ovinus 2007-2010  
OJ C 196 of 04.07.2012, p. 12  
SA.32001  | Animal diseases  | 09.06.2011 |
Czech Republic Subsidy Programme for Granting Contributions for the Forest Management in the Moravskoslezsky Region for 2013 – 2019 OJ C 197 of 05.07.2012, p. 6

SA.34291 Forestry aid 31.05.2012

Czech Republic State aid for processing of forest management plans OJ C 197 of 05.07.2012, p. 4

SA.34152 Forestry aid 16.05.2012

Greece Reconstitution de potentiel sylvicole et introduction d’actions de prévention OJ C 197 of 05.07.2012, p. 3

SA.32904 Forestry aid 09.11.2011

Greece Measures in favour of animal breeders of Eastern Attica, whose feed-crop areas were destroyed by fires in August 2009 OJ C 197 of 05.07.2012, p. 2

SA.32733 Natural disasters or exceptional occurrences 13.05.2011

Italy Mesure 226.Reconstitution du potentiel forestier et interventions préventives. OJ C 196 of 04.07.2012, p. 11

SA.31780 Forestry aid 30.11.2010

Netherlands Investment aid for the reduction of odour emissions of Klompen B.V. (pig farm) OJ C 197 of 05.07.2012, p. 5

SA.34253 Environmental protection Investment in agricultural holdings 12.04.2012

Block exemptions

Block exemption Information sheets published in the OJ and/or in the State Aid register between 28.06.2012 and 05.07.2012

European Parliament


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

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<td>Cantiere navale De Poli v Commission</td>
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<td>C-529/10</td>
<td>Ministero dell’Economia e delle Finanze and Agenzia delle Entrate v Safilo SpA.</td>
<td>Italy</td>
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<td>C-214/12 P</td>
<td>Land Burgenland v Commission</td>
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<td>Appeal</td>
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2. General Court

- none -
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

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<td>Norway</td>
<td>Potential aid to AS Oslo Sporveier and AS Sporveisbussene</td>
<td>71524</td>
<td>Transport aid</td>
<td>28.03.2012</td>
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* 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.

Newly adopted decisions

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<td>Film support scheme</td>
<td>71061</td>
<td>Cultural aid</td>
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<td>Iceland</td>
<td>Verne Data Center</td>
<td>68955</td>
<td>Regional aid</td>
<td>04.07.2012</td>
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<tr>
<td>Norway</td>
<td>Skien Airport</td>
<td>65139</td>
<td>No aid</td>
<td>04.07.2012</td>
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Public versions of decisions made available

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<th>Country</th>
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<tr>
<td>Iceland</td>
<td>The acquisition of Sparisjodur Svarfdaela by Landsbankinn</td>
<td>71379</td>
<td>Financial crisis aid</td>
<td>20.06.2012</td>
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<tr>
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<tbody>
<tr>
<td>Norway</td>
<td>Supplementary Agreement on the Hurtigruten service</td>
<td>68583</td>
<td>Public service in maritime transport</td>
<td>29.06.2011</td>
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</table>

2. EFTA Court

- none -

3. State Aid New Legislation

- none -

4. Other EEA points of interest

- none -

Additional points of interest

Events

Recent Developments in State Aid Issues of Concern to Regional and Local Authorities
EIPA
Maastricht, 9-10 July 2012
Studies and reports

Flash estimate - June 2012
Euro area inflation estimated at 2.4%
Euro area annual inflation is expected to be 2.4% in June 2012 according to a flash estimate issued by Eurostat, the statistical office of the European Union. It was also 2.4% in May.
Read more

Invitations to tender

Customer survey at Paris Charles de Gaulle airport and Paris Orly airport (lot No 1) and at Rome Fiumicino airport (lot No 2)
Deadline to submit tenders: 12.07.2012
Read more

Survey of merchants' costs of processing cash and card payments
Deadline to submit tenders: 17.07.2012
Read more

Miscellanea

Background: Frequently asked questions on the recast of the first railway package
What was the first railway package?
The first railway package consists of three directives (2001/12/EC, 2001/13/EC and 2001/14/EC) which were substantially amended in 2004 (second package) and 2007 (third package). Its purpose was to revitalise railway transport (still largely in the hands of state monopolies confined to their national markets) by gradually opening it to competition at Europe-wide level. The market for rail freight transport has been completely opened since 2007 and for international passenger services since January 2010.
See also: http://ec.europa.eu/transport/rail/market/market_en.htm, IP/10/1139 and IP/12/733
For further information, click here

EURO AREA SUMMIT STATEMENT
Brussels, 29/06/2012
We affirm that it is imperative to break the vicious circle between banks and sovereigns. The Commission will present Proposals on the basis of Article 127(6) for a single supervisory mechanism shortly. We ask the Council to consider these Proposals as a matter of urgency by the end of 2012. When an effective single supervisory mechanism is established, involving the ECB, for banks in the euro area the ESM could, following a regular decision, have the possibility to recapitalize banks directly. This would rely on appropriate conditionality, including compliance with state aid rules, which should be institution-specific, sector-specific or economy-wide and would be formalised in a Memorandum of Understanding. The Eurogroup will examine the situation of the Irish financial sector with the view of further improving the sustainability of the well-performing adjustment programme. Similar cases will be treated equally.
Read more

Next publication date: Friday 13.07.2012

Previous issues

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About e-News:
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/

Publisher:
European Commission
DG Competition