

# STATE AID

NAVIGATING THE LEGAL COMPLEXITIES OF STATE AID AND PUBLIC PROCUREMENT LAWS

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There has been a significant increase in State aid enforcement and litigation over the last few years. Most recently, State aid enforcement has been particularly prominent in the area of international tax planning by large companies which the European Commission views as State aid by Member States such as Ireland, Luxembourg, the Netherlands and Belgium.

We advise on State aid aspects of major projects as well as on State aid investigations and litigation in EU and national courts. In recent years we have been involved in numerous "Phase II" State aid investigations before the European Commission and five State aid cases in the EU courts.

Our team routinely provides State aid advice on major projects and other transactions that avoid becoming the subject of formal proceedings. We have also successfully assisted clients whose confirmed subsidies were blocked for reasons of EU State aid law or who were requested to pay back large amounts of fiscal aid.

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## RECENT EXPERIENCE

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### LONDON UNDERGROUND

Advised on ongoing procurement issues related to works and upgrades on various parts of the Tube network, including the Northern Line Extension

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**THE BAZALGETTE CONSORTIUM (ALLIANZ CAPITAL PARTNERS, DALMORE CAPITAL, AMBER INFRASTRUCTURE AND DIF)**

Advised on State aid, procurement and regulatory aspects of its successful bid for the Thames Tideway Tunnel project

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**THE BELGIAN STATE**

Advising in relation to a Phase II State aid investigation relating to subsidised BSE tests and in which the EU Commission demands obligatory recovery of alleged State aid from thousands of Belgian farmers

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**BANK OF IRELAND**

Advising in relation to financial crisis rescue and restructuring aid

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**EDF**

Advising on the State aid aspects of the planned Hinkley Point C nuclear power project in the UK

## RWE AND LYNEMOUTH POWER

Advising to obtain unconditional clearance, following a Phase II State aid investigation, for support measures for the conversion of the Lynemouth coal fired power plant to biomass, and creating one of the largest biomass fired power plants in Europe

## OUR PEOPLE



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