

STATE AID AND SUBSIDY CONTROL

NAVIGATING THE LEGAL COMPLEXITIES OF STATE AID AND SUBSIDY CONTROL LAWS

State aid and subsidy control have become increasingly prominent as Governments continue to take a more interventionist approach to pursuing public policy objectives.

In the EU, the European Commission has also been actively using the State aid rules to advance broader policy interests, in particular in relation to the energy sector and in addressing multinationals' tax planning practices. In the UK, the Government is seeking to adapt its own new subsidy control regime to best support its economic agenda.

Our team is ideally placed to help clients navigate the legal complexities of this evolving State aid and subsidy control landscape. We have extensive experience advising public bodies, utilities, private companies and governments on the State aid aspects of major projects and transactions. In recent years have been involved in numerous "Phase II" in-depth State aid investigations before the European Commission and in significant appeals of State aid decisions and related litigation in the EU and national courts. Our team comprises experienced State aid lawyers in [Brussels](#) and [London](#) but also in [France](#), [Germany](#), [Italy](#) and [Spain](#).

We routinely provide advice on how to best reduce possible State aid and subsidy control risk and avoid that our clients' projects or transactions become the subject of formal proceedings. We have also successfully assisted clients whose confirmed subsidies were blocked for alleged reasons relating to State aid law or who were requested to pay back large amounts of fiscal support.

Building on our established EU State aid expertise, we have already amassed significant experience advising in relation to the UK's nascent subsidy control framework and we are currently advising clients in relation to a number of projects that are "first of their kind" cases under the new regime.

RECENT EXPERIENCE

EU TAX PLANNING INVESTIGATIONS

We have advised a number of multinational companies in relation to European Commission State aid investigations into the tax ruling practices of EU Member States.

COVID-19 STATE AID

We have advised a number of clients in relation to State aid and subsidy control matters (EU and UK) arising in connection with the Covid-19 pandemic, including under the European Commission's Temporary State Aid Framework.

EDF ENERGY

On all State aid aspects of the Hinkley Point C nuclear power project in the UK. The case represented the European Commission's first-ever State aid approval in relation to new nuclear capacity and serves as the precedent for other nuclear projects.

DRAX

In obtaining unconditional State aid clearance following an in-depth Phase II investigation, for UK support measures to convert a third unit of Drax's coal power station to biomass.

THE BRITISH AGGREGATES ASSOCIATION

In three cases before the EU Courts appealing State aid decisions concerning the UK's aggregates levy, an environmental tax which affects hundreds of quarries across the UK, and with respect to related litigation in the English Courts.

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

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

OUR PEOPLE



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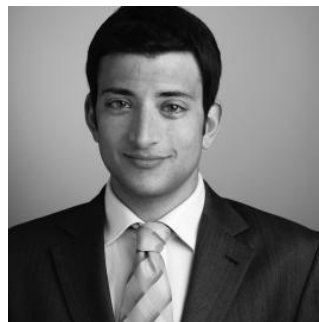
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