Competition: specific sectors, aids granted by states, art. 93 EC Treaty

1998/0060(CNS) - 10/11/1998

At present, the only legal provisions on State Aid procedures are those in Article 93 of the Treaty. The Commission has, however, over the years developed certain practices in handling State Aid Cases, which in several occasions have been further developed by the ECJ. To increase transparency and certainty, the Commission has put forward a proposal which essentially seeks to clarify and codify current procedural practices in the State Aid Field. Reporting on behalf of the Committee, Mr Javier AREITIO TOLEDO (EPP, E) broadly welcomes this Commission initiative. The Committee, however, has tabled a number of amendments to the proposal, which in particular set clearer time limits action. A separate issue is the recovery of unlawful aid; here the Commission Proposal would result in all hereto granted unlawful aid requiring notification or recovery. The Committee feels that this is unnecessarily harsh as unlawful state aids given years ago probably no longer have a detrimental effect on the Single Market. Thus the Committee has put forward an amendment effectively exempting unlawful aids given more than ten years ago from the present regulation.