



Best Practice Code

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Competition

Outline

1. Origins: Adoption of 2009 Best Practice Code
2. Reasons for review
3. Main novelties in the 2018 Best Practice Code

1. Origins: adoption of 2009 Best Practice Code

2009 Best Practice Code

- 2005 State Aid Action Plan – road map for reform 2005-2009:
 - Call for more effective, simple and predictable procedures
- Simplification package 2009
 - Notice on a simplified procedure for treatment of certain types of State aid
 - Best Practice Code
 - Notice on the enforcement of State aid law by national courts

2. Reasons for Review

Evolution

- Review of Procedural Regulation 2013
 - Complaints' handling
 - Obligatory complaint form
 - Demonstration how interests will be affected
 - Sector inquiries
 - Market information tools
- Simplified procedure – overtaken by GBER expansion
- New ways of interacting with Member States

3. Main novelties

2018 Best Practice Code

- Pre-notification
 - Recommended process
 - Ideally no longer than 6 months
- Mutually Agreed Planning
 - Linked with case portfolio approach
- Preliminary examination
- Streamlined procedure
 - Replaces simplified procedure
 - “sufficiently similar to other measures that were approved”
 - 3 precedents
 - Renamed to avoid confusion with procedure provided for in the implementing regulation
 - Best effort to adopt decision within 25 working days

2018 Best Practice Code

- Formal investigation procedure
 - Sector inquiries
 - Other information sources than the MS
- Complaints handling
 - Aligned with changes in Procedural Regulation
- Evaluation plans
- Monitoring
 - Corollary to wider scope of GBER
- Cooperation with MS
 - WG MS
 - Network of Country Contacts

Thank you for your attention!