

LIVE STREAM



ESSENTIAL EU COMPETITION LAW

WEBINAR FOR SLOVENIAN JUDICIARY

- Articles 101 and 102 TFEU
- Private enforcement of EU competition law
- State Aid Law

Webinar, 14 – 16 June 2021 (afternoons)

**UP
GRADE**
YOUR LEGAL
EXPERTISE



Speakers

Andrés Borja Alcaraz Riaño, Case handler, Unit H/4 State aid enforcement and monitoring, Directorate General for Competition, European Commission, Brussels

Janja Čevriz, Case handler, Unit D1 - Antitrust: Payment systems, Directorate General for Competition, European Commission, Brussels

Aleksandar Dorich, Legal Secretary, Court of Justice of the European Union, Luxembourg

Aleš Ferčič, Associate Professor, Faculty of Law, University of Maribor

Andrej Matvoz, Director, Slovenian Competition Protection Agency, Ljubljana

Pavle Pensa, Senior Partner, Jadek & Pensa, Ljubljana

Nataša Pipan Nahtigal, Partner, ŠELIH & PARTNERJI, Ljubljana

Janja Zaplotnik, Partner, Jadek & Pensa, Ljubljana



REPUBLIC OF SLOVENIA
MINISTRY OF JUSTICE
JUDICIAL TRAINING CENTRE

Key topics

- Overview of Articles 101 and 102 TFEU
- The Damages Directive and its transposition in Slovenian law
- The role of the national judge in the enforcement of EU State aid rules
- Hands-on training on online databases

Language
Slovenian and English (with simultaneous interpretation)

Event number
221DV139

Organiser
ERA in cooperation with the Judicial Training Centre of the Ministry of Justice of Slovenia on behalf of the European Commission



Monday, 14 June 2021

12:45 Connecting time

13:00 **Welcome words**
Ivana Jarošová, ERA
Nataša Skubic, Judicial Training Centre

I. INTRODUCTION TO EU COMPETITION LAW

13:15 **Competition policy objectives. Overview of Articles 101-109 TFEU**
Andrej Matvoz

13:45 **Market definition and market power**
Andrej Matvoz

14:30 Q&A and discussion

14:45 Break

15:00 **Agreements, decisions and concerted practices**

- Main elements of art. 101 TFEU
- Horizontal and vertical agreements
- Exemptions

Pavle Pensa and Janja Zaplotnik

16:00 Q&A and discussion

16:15 **Abuse of dominance under Art. 102 TFEU**
Janja Čevriz

17:15 Q&A and discussion

17:30 **Quiz session**

18:15 End of first session

Tuesday, 15 June 2021

12:45 Connecting time

13:00 **Workshop on Art. 101 and Art. 102 TFEU**
Pavle Pensa and Janja Zaplotnik

14:00 **Hands-on training on online databases**
Pavle Pensa and Janja Zaplotnik

14:30 Break

II. PRIVATE ENFORCEMENT OF EU ANTITRUST LAW

14:45 **EU framework**

- Case law of the CJEU on the right to claim damages for antitrust infringements
- Damages Directive

Aleksandar Dorich

15:30 Q&A and discussion

Objective

Since the entry into force of Regulation No 1/2003 national courts have been empowered to apply Articles 101 and 102 TFEU in full. Directive 2014/104/EU, with a period of transposition until 27 December 2016, is intended to fine-tune the interplay between private damages actions and public enforcement of the EU antitrust rules.

The direct effect of the notification requirement and the standstill obligation under EU State aid rules (Art. 108 (3) TFEU), the role of national courts in the recovery of illegally awarded State aid and the possibility of bringing before them private damages actions caused by unlawful State aid also require good knowledge of State aid rules by the judiciary.

This seminar will provide national judiciary with an overview of the application of Articles 101 and 102 TFEU and the relevant secondary legislation, as well as the national legislation transposing the Damages Directive into Slovenian law, and will equip them with the necessary tools to deal with State aid cases.

Who should attend?

Slovenian judges, prosecutors and judicial court staff

- 15:45 **National legislation transposing the Damages Directive**
- Disclosure of evidence
 - Effect of national infringement decisions
 - Limitation periods
- Nataša Pipan Nahtigal*
- 16:30 Q&A and discussion
- 16:45 **National legislation transposing the Damages Directive (cont)**
- Joint and several liability
 - Quantification of harm
 - Passing on of overcharges
- Nataša Pipan Nahtigal*
- 17:30 Q&A and discussion
- 17:45 End of second session

Wednesday, 16 June 2021

- 12:45 Connecting time

III. PRIVATE ENFORCEMENT OF EU STATE AID LAW

- 13:00 **Introduction to EU State aid law**
- Overview of EU State aid rules
 - The notion of aid
 - Exemption regulations
- Aleš Ferčič*
- 14:00 Q&A and discussion
- 14:15 Break
- 14:30 **The role of national courts in the enforcement of State aid rules and decisions**
- Andrés Borja Alcaraz Riaño*
- 15:30 **Cooperation with the European Commission**
- Andrés Borja Alcaraz Riaño*
- 16:00 Q&A and discussion
- 16:15 **Case study on State aid**
- Andrés Borja Alcaraz Riaño*
- 17:15 **Quiz session**
- 18:00 End of the training

About the project

The seminar is part of a large-scale project to provide training to national judges on EU competition law, organised on behalf of the European Commission. It consists of 26 training programmes taking place over a period of four years.

For more information about the project:
<https://competition.judicialtraining.eu>

Your contact persons



Avgustina Dorich
Deputy Head Business Law
E-Mail: adorich@era.int



Ivana Jarošová
Course Administrator
E-Mail: ijarsova@era.int



Nathalie Dessert
Assistant
E-Mail: ndessert@era.int



Funded by the European Union

**Service Contract DG COMP/2017/015 -
SI2.778715**

This document has been prepared for the European Commission. However, it reflects the views only of the authors, and the Commission cannot be held responsible for any use which may be made of the information contained therein

For programme updates:
<https://competition.judicialtraining.eu>
Programme may be subject to amendment.

Conditions of participation

1. The seminar is addressed to Slovenian judges, prosecutors and court staff dealing with private enforcement of antitrust rules or State aid-related cases at first or intermediate instance.
Deadline for applications: 11 June 2021
2. Only a limited number of places is available for the training seminars. A response will be given to every applicant shortly after the deadline for application. Participation is confirmed only upon receiving a written response from the organisers. A reserve list of unsuccessful applicants will be drawn up. In the event of cancellations, applicants on the reserve list will be offered a place.
3. **Participation of the judiciary is free of charge.**
4. Certificates of attendance will be issued after the training seminar.
5. Participation in the whole seminar programme is required. Filling in the seminar evaluation form is also mandatory. Failure to attend the entire course and/or to fill out the evaluation form will automatically mean that the participant is not entitled to a certificate of attendance or to reimbursement of travel costs.
6. A list of participants including each participant's address will be made available to all participants unless ERA receives written objection from the participant no later than one week prior to the beginning of the event.

Contact person:

Nathalie Dessert
Assistant
E-Mail: ndessert@era.int
Tel: +49 (0)651 - 93737 -220