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GUIDELINES ON STATE AID TO BUSINESS ENTITIES

The present article deals with the framework for reform of the national system of state aid to business entities, European guidelines and framework provisions. Detailed analysis of the new Law of Ukraine “On Government Aid for Business Entities” was carried out and it was rightly pointed out that it represents to a certain extent the guidelines and framework provisions in force in the European State Aid Law. Characteristics of each of the principles contained in the legal act were illuminated. This characterization included such principles as admissible and inadmissible aid, transparency of state aid schemes and publicity of information etc. Article presents a list of European guidelines, which are missing in the Law and, as a result, identifies deficiencies of legal regulation.

The author claims that there is a need to introduce amendments to the current legislation on de minimis state aid, block exemptions regulations, which will enable to bring the legal act in accordance with EU regulations.

The author offered a number of proposals for changes in legislation which are directed at the settlement of above mentioned issues. In particular, the principles concerning block exemptions regulations, de minimis aid, horizontal aid and other European rules should be reflected in the Law of Ukraine “On Government Aid for Business Entities”. The necessity of adopting a special act regarding the establishment of block exemptions regulations, which allows to grant aid without coordination of the European Commission, is proved.

