

# Summary

State aid law is one of the most important categories of the competition law in the European Union. The state as such has an unprecedented advantage compared to other competitors: the state disposes of a huge amount of funds which could be easily distributed in favor of the privileged undertakings. The risk of the distorting effect on competition is high; thus, strict rules are necessary.

The thesis is divided into four parts: introduction, the general part, specific provisions and the conclusion.

Part two of the thesis is dedicated to the general provision. Section 2.1 deals with the term “state aid”, describes the main criteria for qualification of the aid as a state aid incompatible with the internal market. I also focused on two judgments of the Tribunal which I considered important for the used argumentation.

Substantial efforts were dedicated to the analysis of the private investor principle in paragraph 2.1.1 of the thesis. I am of the opinion that this principle helps substantially in the course of analysis whether the aid scheme distorts or threatens the competition; it means that only such approach which is not in line with the standard market behavior is illegal. On the other hand, the private investor principle does not mean that the investor is forced to looking for the quickest way to the success. The private creditor principle works on the same basis.

The procedural aspects are described in paragraph 2.1.3. I consider as an advantage that the procedural rules emphasize the rapidness of the whole approval procedure. It is obvious that the rules are focused on the verification of the state aid scheme as to its contents rather than on formal procedures.

Specific provisions, described in the third part of the thesis, are focusing on the selected block exemptions. I have chosen those specific provisions which are not very well described in the Czech literature and which are specific for the specific kind of the state aid they deal with.

Section 3.1 describes the state aid elements in real estate transactions performed by public authorities, section 3.2 describes the state aid elements in the form of guarantees (this form is currently used due to the financial crisis), section 3.3 is dedicated to the one of the most important state aid scheme – the state aid for the undertaking in difficulties; this is the area of the state aid which can easily distort the competition and therefore must be described very precisely. The last section of the third part is focusing on the environmental state aid and particularly on the state aid in the emission allowances trading system.