

Legislation and Practice of Selected State Aid Issues, According to EU and Polish Law

Anna Dobaczewska^{1*}

¹ Faculty of Law and Administration; Chair of Public Economic Law and Environment Protection; University of Gdańsk (6 Jana Bażyńskiego Street, Gdańsk, Poland)

* Correspondence author: anna.dobaczewska@ug.edu.pl; ORCID: 0000-0001-8918-9847

Abstract

The dataset encompasses several tables, each consisting of three elements: legislation, jurisprudence and scientific articles on numerous subjects and economic activities receiving public financial support in the form of state aid instruments. The set includes a subjective list of the most commonly used and/or disputable examples of granting aid, such as for (local) airports and airlines, steel production, shipyards, and coalmines. Less controversial are: regional aid, broadband infrastructure, small entrepreneurs, and research & development which should all help to achieve the goal of the “Europe 2020” Strategy and other EC politics.

Keywords: state aid, internal market, competition law

https://doi.org/10.34808/x55q-sz53_dyr_roz43

Specification table (data records)

Subject area	Competition Law
More specific subject area	State aid law
Type of data	Text
How the data was acquired	The data was collected at the University of Gdańsk using freely available paper and online non-commercial (library) databases, in order to allow the reader to receive immediate access to the elements included in the dataset and further study the state aid cases in the EU member states
Data format	The tables are in .pdf format

Experimental factors	The data contained in the dataset were not processed
Data source location	MOST Wiedzy Open Research Catalog
Data accessibility	The dataset is accessible and is publicly and freely available for any research or educational purposes

Background

The reason to prepare the dataset on numerous state aid forms, displaying the purposes of the state aid granted under the EU law in the Member States was to give the reader a quick reference set; enabling them to get acquainted with the topic. Granting state aid and using it responsibly is a matter of fair competition between entrepreneurs, which should be guarded by public authorities at the national and EU levels. Therefore, in each part of the dataset, a ready-to-use list of the most important EU and Polish legislation has been presented. Most sets refer to the budgeting period 2014–2020; some however also present previous legislation (2007–2013). At the time of research, no provisions for the 2021–2027 were available, so a comparative study has not been undertaken. The EC legislation encompasses secondary law and soft law. The second element of the dataset, which is important for the practice, are EC decisions which appeared to become important milestones of the state aid practise. Where applicable, examples of Polish court decisions have also been presented. The aim of this was to explain to the reader whether and how the EU law has been implemented at the national level. In order to show how the national authorities comply with the EU legal provisions, each topic contains cases from different EU member states. This should enable the reader to get an overall view of the specific problem in a short time. The third component of the set is a representative list of literature describing and developing the problems arising while using state aid. Again, the assumption was mainly to show the Polish practise and research. The intention lying behind this research is to supply students, practitioners and authorities with data on separate topics within a broad field of state aid towards entrepreneurs. The year 2020 showed how important such financial support to entrepreneurs can be.

Methods

The elements of the dataset were prepared solely using the dogmatic and legal research method, according to the contemporary legislation at the EU level and its transformation into Polish law. The best method to disclose how the legal provisions work in practise is to disclose how the courts and public authorities have acted to the given law provisions. Therefore, the Author has compiled a selection of EC and court cases representative of each topic, and based on her own opinion in this respect. The usual research workshop for lawyers also includes a verification of the scientific doctrine, therefore a list of literature references has been included in the dataset.



Data quality and availability

Datasets DOI

[10.34808/6jrs-4z71](https://doi.org/10.34808/6jrs-4z71)

[10.34808/sfqa-1280](https://doi.org/10.34808/sfqa-1280)

[10.34808/ktm3-jk08](https://doi.org/10.34808/ktm3-jk08)

[10.34808/03df-w284](https://doi.org/10.34808/03df-w284)

[10.34808/wwev-e426](https://doi.org/10.34808/wwev-e426)

[10.34808/gb06-wn56](https://doi.org/10.34808/gb06-wn56)

[10.34808/28yt-gm46](https://doi.org/10.34808/28yt-gm46)

[10.34808/emkv-wn28](https://doi.org/10.34808/emkv-wn28)

[10.34808/z5k9-7x70](https://doi.org/10.34808/z5k9-7x70)

[10.34808/n2ep-6t24](https://doi.org/10.34808/n2ep-6t24)

[10.34808/jq38-xj88](https://doi.org/10.34808/jq38-xj88)

[10.34808/7fd8-7k02](https://doi.org/10.34808/7fd8-7k02)

[10.34808/w7c6-gj69](https://doi.org/10.34808/w7c6-gj69)

[10.34808/bavs-3596](https://doi.org/10.34808/bavs-3596)

[10.34808/srd1-3q96](https://doi.org/10.34808/srd1-3q96)

[10.34808/kk4k-qn72](https://doi.org/10.34808/kk4k-qn72)

[10.34808/s1ys-7c02](https://doi.org/10.34808/s1ys-7c02)

Datasets License:

CC-BY

References

Each of the dataset elements (separate tables) is an individualised list of legal acts in force (sometimes additionally also those of historical value), literature references (mainly articles in scientific journals) and quotations of EC decision or court judgements, personally selected by the Author; each set referring to another topic or another economic activity where state aid is or has been granted to entrepreneurs. Therefore no references, other than those being the actual content of the dataset have been used.