PÁZMÁNY STATE AID LAW FORUM 2025-09-26

Judge Daniel Severinsson
Stockholm District Court
Patent and Market Court

STOCKHOLMS TINGSRÄTT
SVERIGES DOMSTOLAR

Case T 9396-17 Familjeakademin v The State

- Familjeakademin company offering courses for parents
- The State through the Public Health Agency granted municipalities 13 MEUR to provide free courses for parents
  - No notification to the Commission (Art. 108 (3) TFEU)
- Familjeakademin claimed state aid in breach of Art. 107 TFEU and requested 1 MEUR in damages for loss of profits
  - Competition distorted by favouring recipients of the grant over Familjeakademin
  - Familjeakademin's turnover dropped after the grants were distributed
- Request for preliminary ruling denied
  - Not necessary and parties disagreed on many of the relevant facts
- Public settlement according to which Familjeakademin received 25 000 EUR in damages

Case T 7021-23 The State v Stockholm Port Authority

- The State through the Swedish Maritime Administration (SMA) and public undertaking Stockholm Port Authority (SPA) agreed that the latter should not collect fees for vessels passing through a certain lock in Stockholm
  - SMA paid yearly compensation for SPA:s loss of income from 1979 to 2022
  - Agreement automatically extended with some updates every five years
  - SMA terminated agreement as of 2022
- In 2023 SMA requested SPA to reimburse the compensation for the past ten years amounting to approx 4 MEUR
- Reference for a preliminary ruling in case C-401/24
  - Notion of aid – selective advantage?
  - Concept of ”existing aid” and ”new aid”
- AG opinion EU:C:2025:415

Case T 20974-24 Scandinavian Airlines ./. The State

- Scandinavian Airlines (SAS) received state aid from Swedish and Danish government during the Covid-19 pandemic
- Aid approved by the Commission in August 2020 but annulled by the GC in May 2023
- Aid re-approved by the Commission in November 2023
- SAS has requested declaratory judgment that it has no obligation to pay interest for the period during which the aid was unlawful, or at least that such interest must not exceed approx. 22 MEUR
- Reference for a preliminary ruling in case C-442/25
  - Is there an obligation to pay interest even though the aid was paid out after the Commission's approval and the aid was subsequently re-approved?
  - If so, can such an obligation be limited due to exceptional circumstances?