

Luxembourg contribution to the public consultation on the draft amendments to State aid Implementing Regulation and State aid Best Practices Code as regards access to justice in environmental matters

Luxembourg generally supports the proposed amendments to the Commission Regulation (EC) No 794/2004 of 21 April 2004 implementing Council Regulation (EU) 2015/1589 laying down detailed rules for the application of Article 108 of the Treaty on the Functioning of the European Union and Code of Best Practices for the conduct of State aid control procedures.

As a general comment, Luxembourg takes the view that the scope of the internal review mechanism and the applicable time limits should be as narrow as possible.

Luxembourg is in favor of excluding article 107 (3), point (b), second part, TFEU decisions (serious disturbance in the economy of a Member State) from the scope of the internal review mechanism. As regards the time limits, Luxembourg finds the proposed limits of 8 weeks for the request for internal review and 16/22 weeks for the Commission to provide a reasoned reply, appropriate.