



# State aid - Landsales

Laura PASTOR  
COMP A.5  
04.11.2019

These slides accompany the explanation of the acquis to Albania and North Macedonia and can only be used for that purpose. Their content is subject to further development of the acquis and interpretation by the Court of Justice of the European Union.

## Legal framework

- **Communication** on State aid elements in sales of land and buildings by public authorities (**“LSC”**) OJ C/209, 10.07.1997, page 3)

## LSC – Purpose and scope

### Purpose:

1. Guidance to MS on the general approach
2. Reduced number of notified cases

### Scope:

- Sale of public land & buildings only

## **LSC: No Advantage**

- 1. Unconditional bidding procedure**, accepting the best bid  
(preferred option); or,
- 2. Independent expert evaluation** prior to the sale  
negotiations

## What if the LSC conditions are not met?

- **Not automatically State aid:** procedures are non-exhaustive, but method must lead to a price as close as possible to the market value.
- **MEO test:** Does the sales price correspond to what a private investor, operating in normal competitive conditions, would have determined?



Thank you!

