

A guide to managing state aid issues

The purpose of this factsheet is to provide an overview of State Aid legislation and how it can be managed by an organisation considering use of its Janet connection as part of its business and community engagement activities. It applies where the organisation is using Janet to provide ICT or other services to a business or community engagement partner, or where the partner is otherwise allowed access to Janet services.

Please note that the factsheet can only provide general advice on State Aid and its applicability to the use of Janet in business and community engagement. It does not constitute specific legal advice, and an organisation may wish to take its own advice before proceeding with any particular activity.

Note also that interpreting State Aid rules can sometimes be a matter of risk management. The rules are part of EC legislation (Article 107 of the Treaty of the Functioning of the European Union) and their application in practice has been built up by interpretation by the European Commission and by case law. The appetite for and management of that risk is a matter for the organisation concerned, and not for Janet or its funders.

The factsheet draws upon two publications from the *JISC Legal* service that are particularly relevant and useful in this context, and are strongly recommended for further reading:

Business and Community Engagement: Competition and State Aid – What is the Law?

Business and Community Engagement: How to Play Fair – A User Guide.

In the factsheet the word “university” is used throughout as a shorthand for any university, college, research institution or other publicly-funded organisation considering use of Janet to support its business and community engagement.

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