

SCHEDULE 3

Regulation 8

Transitional and savings provisions

Claims before a court or tribunal relating to State aid infringement before IP completion day

1.—(1) In this paragraph, “State aid breach” means a breach or alleged breach of—

- (a) the prohibition in Article 107(1) of the TFEU; and
- (b) the obligation in Article 108(3) of the TFEU.

(2) The cessation of the rights, powers, liabilities, obligations, restrictions, remedies and procedures provided for by regulation 3 and the revocations provided for by regulations 4, 5 and 6 do not affect the ability of any person on or after IP completion day—

- (a) to continue any existing claim (or defence to such a claim) in relation to a State aid breach which occurred before IP completion day in proceedings before a court or tribunal in the United Kingdom; or
- (b) to begin any new claim (or defence to such a claim) in relation to a State aid breach which occurred before IP completion day in proceedings before a court or tribunal in the United Kingdom which the person could have made before IP completion day.

(3) If a person has acquired a right to begin proceedings from another person (whether by operation of law or otherwise), the reference in subparagraph (2)(b) to proceedings which a person could have made before IP completion day includes proceedings which that other person could have begun before IP completion day.

Commencement Information

- II** Sch. 3 para. 1 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see [reg. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The State Aid (Revocations and Amendments) (EU Exit) Regulations 2020, SCHEDULE 3.