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Title of dissertation: “*State aid to sports market entities - (in)transparency of relations between the state and beneficiaries*”

ABSTRACT

This dissertation attempts to answer the question whether the relations between public authorities and beneficiaries of state aid on the sports market meet the criteria for being considered as transparent ones. For this purpose, an attempt was made to determine the measures and legal forms of public administration activity used on the market in question, as well as an analysis of the procedures used to provide support to sports market entities. Finding the answer to this question required considerations aimed at determining whether the support granted by public authorities to sports market entities constitutes state aid incompatible with the internal market, what is the scope and scale of violations of regulations when notifying this aid and whether this aid should be subject to returned as unlawful. In order to determine the answers to the above-mentioned questions, several examples of state aid from Poland, Spain, the Netherlands and Hungary were analyzed, taking into account the legal and financial situation of the aid beneficiaries. The assessment of the transparency of support was made by determining the practices of public authorities in providing support to sports market entities.

The dissertation consists of five chapters, preceded by preliminary assumptions. The whole dissertation is concluded with final conclusions. The introduction to the dissertation presents the justification for the choice of the topic and title of the work, as well as the research problems, hypotheses and methodology of the research. Chapter I presents the basic concepts and legal institutions in the field of state aid law. Chapter II presents the concept of the sports market as a relevant market in the light of the EU and national legal order, as well as explains what a "sports market entity" is. Chapter III presents the measures and legal forms used by public administration providing support to sports market entities, with particular emphasis on appropriate procedures established by statutory solutions. Chapter IV presents a model procedure for granting state aid, taking into account the specificity of granting state aid in the sports market. Chapter V presents a case study of state aid granted to sports market entities on the Polish, Spanish, Hungarian and Dutch sports markets, as well as an assessment of the transparency and admissibility of the support. The first part of this chapter presents an original model of the procedure for state aid in sports, which should be followed by entities providing support; it includes determining the aid measure within the meaning of the TFEU, assessing the presence of state aid within the meaning of the TFEU and establishing the existence of the conditions for declaring aid permissible under the provisions of the TFEU or secondary law.

The history of the Commission's interest in state aid in sports and the attitude of Polish public authorities towards supporting professional sports on the example of parliamentary interpellations were also presented. The results of a survey conducted for the purposes of the dissertation were also presented, regarding the social assessment of support provided by public authorities to sports market entities.

After the analysis, it was shown that the relations between the state and beneficiaries in the sports market cannot be considered as transparent ones. There is no (especially in Poland and Hungary) unformalized and free access of a market competitor (and a citizen) to the state's financial activities in the sports sector, and the rules for managing public funds in the common EU market (including the sports market), although precise, are often not complied with by public authorities (e.g. through violations of support procedures provided for in relevant acts), in particular by omitting procedures related to the notification of state aid. The above was also confirmed by obtaining official responses from public authorities. The potential negative effects of maintaining a state of lack of transparency in relations between the state and beneficiaries were also pointed out, and *de lege ferenda* demands were presented.