
SAU Referrals: How helpful are the reports and what are the workarounds?

White Paper Conference – Subsidy Control

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Having advised all levels of government and funding applicants, Alex is the go-to adviser for several UK funding bodies. He is regularly approached to design funding schemes and support or review funding applications.

Alex's clients include UK government departments, Welsh Government, local authorities, Catapults and a range of private sector bodies. His advice, articles and briefing sessions are recognised as refreshingly clear and pragmatic.

01

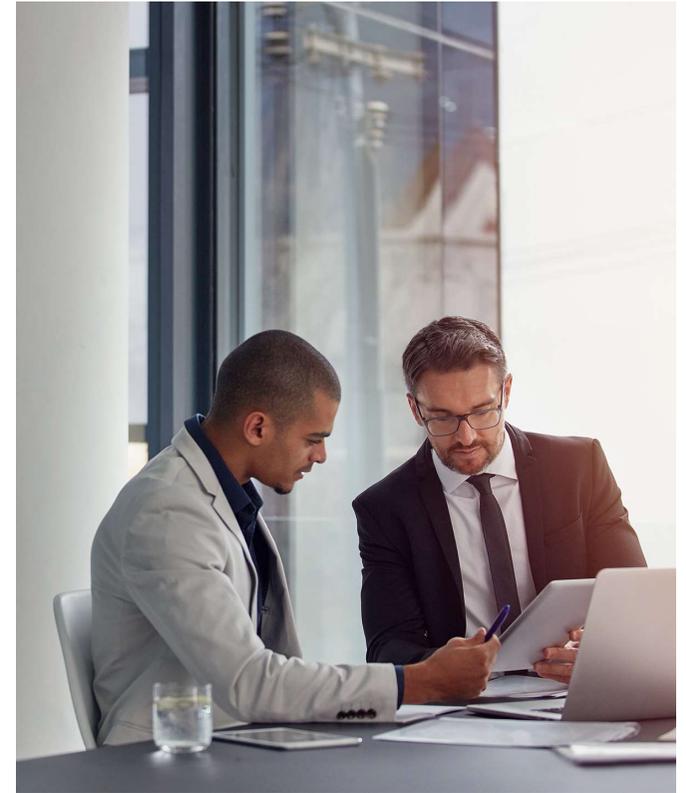
How helpful are the reports?

Role of the Subsidy Advice Unit

What can the SAU do?

“We assist public authorities by providing independent non-binding advice in relation to certain subsidies”.

“This advice will take the form of an evaluation of the referring public authorities’ Assessment of Compliance.”



Role of the Subsidy Advice Unit

Assessments process

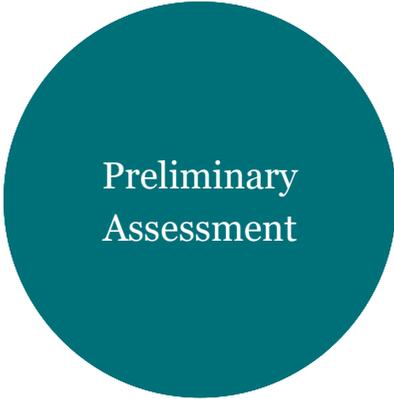


Pre-referral
Discussions

Support with preparation of request

Explanation of process

Not advice on existence or design of subsidies, nor how assessment should be undertaken



Preliminary
Assessment

Essentially a check that the correct information is provided

Additional steps for SSOI



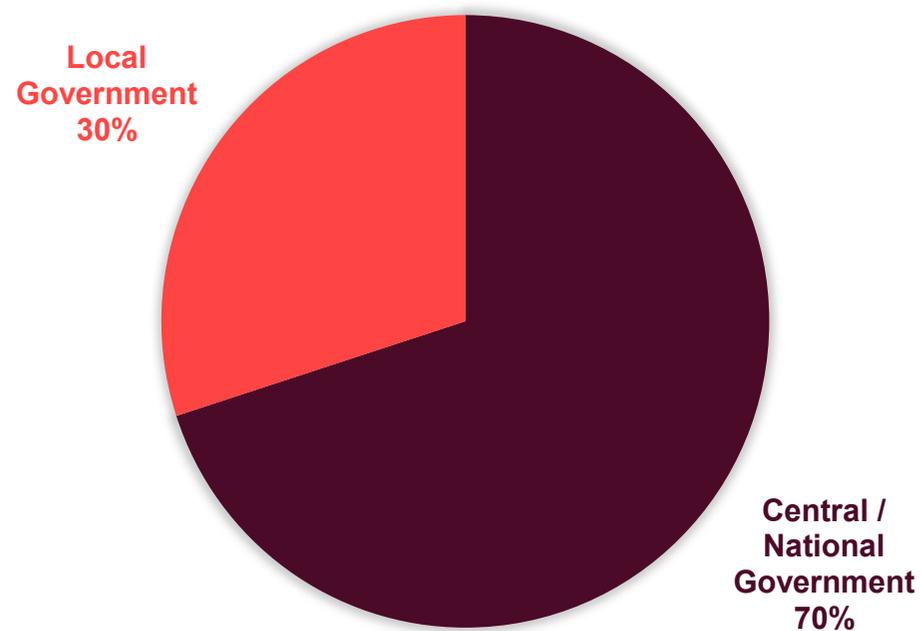
Substantive
Assessment

Might request further information

Production of non-binding report evaluating the authority's assessment of compliance

Who is referring?

- Primarily central / national government bodies
- Greater numbers of local / sub-central authorities than anticipated
- SSOIs...



How helpful are the reports?

Usefulness

Referring authorities
VS
interested bystanders

Opinion on Legality

SAU
VS
CAT

02

Do I need to refer?

SAU Referrals

Thresholds and exemptions

- **Subsidies and Schemes of Particular interest (SSOPI)**
 - >£10M
 - >£5M sensitive sector
 - >£1M relocation subsidy
 - Certain restructuring subsidies

- **Subsidies and Schemes of interest (SSOI)..?**

Subsidies given under schemes

Streamlined subsidy routes

MFA/SPEI Assistance

Natural disaster/economic emergency/national security/TCA taxation/cross-border cooperation/financial stability

BoE Monetary Policy

Legacy subsidies

SAU Referrals

Cumulation and multiple authorities

Related Subsidies (exceeding £1M)

“Given in respect of the same (or substantially the same) project, costs or activities”

and

“Pursues the same (or substantially the same) policy objective”

- Current FY and prior two FYs (ending 31 March)

• Multiple subsidies:

- Each responsible for their own assessment /referral

• Single Subsidy:

- One authority with support from another
- Each authority individually
- Joint assessment/ referral

Do I need to refer?

01

Check the thresholds

Subsidies which are not SSOPIs (usually due to thresholds) need not be referred.

02

Find an exemption

Subsidies falling into certain exemptions need not be referred.

03

Get in first

Subsequent subsidies may exceed the thresholds when cumulated – not the first.

04

Consider who is responsible

Consider whether you are the responsible authority – or is it the upstream /downstream funder?

03

Where can I get an opinion on legality?

Contact us



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Thank you

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