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State Aid for Public Hospitals in Germany

On 20 January 2003, the Asklepios Clinics lodged a complaint with the European Commission to contest the award of allegedly unlawful aid to public hospitals by the German public authorities, comprising compensation, on a case-by-case basis, of any operating losses and the provision of a guarantee by the respective public bodies in favour of those hospitals. The European Commission in November took the decision to no longer investigate in the case. Public subventions also for institutions of general interest are in principle in line with EU competition law.

The EU body recalled however that hospitals need to respect the Montipackages: this means that in their yearly accounts, hospitals have to clearly distinguish between services of general interest and all other services they offer, i.e. ambulatory services. No subventions would be allowed for these latter services.

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