

## SOME CONSIDERATIONS REGARDING THE APPLICATION OF THE EU COMPETITION RULES IN THE CONTEXT OF SERVICES OF GENERAL ECONOMIC INTEREST

Ioan LAZĂR\*  
Laura LAZĂR\*\*

**ABSTRACT:** *In the EU the concept of services of general economic interest covers different types of services with an economic nature, the provision of which can be considered to be in the general interest, such as energy supply, telecommunication, postal services, transport, water and waste management services. The Member States are primarily responsible for defining what they regard as services of general economic interest and will designate the public or private undertakings responsible for providing these types of services.*

*The provisions of EU competition law will prevail over any other contrary national regulations and should be respected by all the public or private undertakings activating on the internal market. One of the most important exceptions from this general rule regards the provision of services of general economic interest. The EU primary law, confirmed by the jurisprudence of the EU Courts provides that EU competition rules do not apply when the proper provision of a service of general economic interest (SGEI) requires such a measure. The exact conditions in which the above-mentioned exception applies in practice, were clarified by the ECJ case law.*

*The article at hand defines the concept of services of general economic interest and the different related concepts, briefly presents the EU legislation applicable in the field, exemplifies the way EU competition rules find their applicability in the context of the provision of the mentioned services and presents some of the most important ECJ case-law related to the provision of SGEI in the EU Member States.*

**KEYWORDS:** *services of general economic interest; services of general interest; competition law; public interest; public services; state aids.*

**JEL Code:** *K20, K21, K30*

---

\* Associate Professor, PhD., "1 Decembrie 1918" University of Alba Iulia, ROMANIA.

\*\* Teaching Assistant, PhD., "Babeş-Bolyai" University of Cluj-Napoca, ROMANIA.