



serle court

clerks@serlecourt.co.uk  
+44 (0)20 7242 6105

## Conor Quigley KC

Year of Silk: 2003 Year of Call: 1985

*"The leading state aid KC in the UK"*

Whos Who Legal, 2021

[cquigley@serlecourt.co.uk](mailto:cquigley@serlecourt.co.uk)  
[clerks@serlecourt.co.uk](mailto:clerks@serlecourt.co.uk)



## Practice Overview

Conor Quigley KC specialises in European Union, State Aid and UK Subsidy Control law. He has appeared in many EU Law cases in the UK in the High Court, Court of Appeal, House of Lords and Supreme Court, and in the European Union General Court and Court of Justice. Clients have included UK and Irish Governments, the European Commission, public and private companies, private individuals and UK public authorities.

In recent years, his practice has increasingly specialized in two areas: (i) acting as an expert witness on EU State aid law in international arbitrations, particularly ICSID arbitrations; (ii) expert specialization on the interface of corporate taxation and State aid international investment arbitrations. In 2022, he was appointed a Visiting Professor in Practice at the London School of Economics.

He has been identified in WhosWhoLegal, Legal 500 and Chambers & Partners Directory as a leading silk in EU, competition and public procurement law:

*"A leading state aid expert with vast experience and a deep understanding of the issues."* (Chambers Global, 2019)

*"clearly the leading figure"* in state aid cases (The Legal 500)

*"There is no doubt he is a state aid guru."* (Who's Who Legal 2021)

*"Unbeatable in the field of State aid"* (Who's Who Legal 2022)

Conor Quigley KC's important cases include:

- *Mead Johnson Nutrition v European Commission* EU:T:2022:217 – State aid – taxation of royalties in Gibraltar – rights of interested parties
- *CFC State aid challenges* – corporation UK tax – group finance exemption – judgments pending
- *ALRO v European Commission* (European Union General Court) EU:T:2014:890 – State aid – preferential tariffs – procedural challenge
- *Sky Blue Sports v Coventry City Council* [2014] EWHC 2089 - State aid – public authority loan on commercial terms
- *Shannon LNG v Commission for Energy Regulation* [2013] IEHC 561
- *Air Transport Association of America v Sec of State for Energy and Climate Change* (European Court of Justice) (Case C-366/10) [2011] ECR I-13755
- *Churchill Insurance Co Ltd v Wilkinson* (European Court of Justice) [2011] ECR I-12633
- *Churchill Insurance Co Ltd v Wilkinson* (Court of Appeal, - judgment of 19 May 2010 – motor insurance – RTA s.151(8) indemnity – compatibility with Second Motor Insurance to Directive – reference to ECJ)
- *White v The Crown*, (Court of Appeal – judgment of 5 May 2010 – excise duty – smuggling – value of personal benefit)
- *Louca v A German Judicial Authority*, (Supreme Court – judgment of 19 November 2009 – extradition – European Arrest Warrant – repeated issuance of warrants - fundamental rights)
- *United Kingdom v Council* (ECJ – judgment 18 December 2007 – *Schengen* Protocol – written submissions for Polish Government)
- *AAH Pharmaceuticals Ltd v Pfizer Ltd* [2007] EWHC 565 (Chancery Division – pharmaceuticals – distributions system)
- *Cooper -v- Pure Fishing* (Court of Appeal – 2004 - commercial agents - termination for fundamental breach)
- *International Power -v- NALOO* [2003] ECR I-11421 - competition law - ECSC Treaty)
- *Light -v- Ty Europe* (Court of Appeal - judgment 25 July 2003 - commercial agency - sub-agents)
- *Lennox -v- ILCO* (ECJ – [2003] ECR I-7091 - exports - agriculture - BSE)
- *RCO Support Services -v- UNISON* [2002] ICR 751 (Court of Appeal - employment law - transfer of undertakings)

- *White -v- White and the Motor Insurers Bureau* [2001] 2 All ER 43 (House of Lords - motor insurance - effect of directives)
- *IECC -v- European Commission* [2001] ECR I-3947 (ECJ - competition law - abuse of dominance - postal services)
- *Irish Sugar Plc -v- European Commission* - [2001] ECR I-5333; [1999] ECR II-2969 (ECJ/CFI - competition law - abuse of dominance - pricing)
- *R -v- Governor of Gibraltar, ex parte AS Marrache & Co* (Gibraltar Court of Appeal, judgment 27 May 1999, import restrictions - liability of Member State for breach of EC Law)
- *QRS 1 Aps -v- Frandsen* - [1999] 1 WLR 2169 (Court of Appeal - taxation - fraud - Brussels Convention)
- *Melletts -v- European Court of Justice* [1998] ECR-SC (CFI - employment law - legitimate expectation)
- *R -v- MAFF, ex parte National Farmers Union* [1998] ECR I-2211 (ECJ - agriculture - BSE - export restrictions)
- *Publishers Association -v- Commission* [1996] ECR I-121 (ECJ - competition law - net book agreement)
- *FMC -v- IBAP* [1996] ECR I-389 (ECJ - agriculture - clawbacks - restitution)
- *R -v- MAFF, ex parte Hedley Lomas (Ireland) Limited* [1996] ECR I-2553 (ECJ - liability of Member State for breach of EC Law - export restrictions)
- *R -v- Cousins* [1995] 3 CMLR (Court of Appeal - excise duty - criminal law)
- *R -v- Lomas* [1992] ECR I-1781 (ECJ - agriculture)
- *R -v- Dearlove & Druker* - (1988) Crim LR 323 (Court of Appeal - competition law -fraud)

Conor Quigley KC has very broad expertise from advising in the following areas:

**EC, UK and Irish competition law:** airlines, air transport, banking and insurance, diamond distribution, forestry, motor vehicle distribution, oil and gas, rail transport, shipping, wine and beer, newspapers, computer software, retailing, franchising, petrol stations, intellectual property rights, racecourses and bookmakers, pharmaceuticals, waste recycling, renewable energy, electricity, payment systems.

**State aid:** fiscal State aid, including CFCs, Gibraltar corporate tax, tax rulings; airports, airlines and railways; urban regeneration, disposal of State assets, environmental protection, banking restructuring, rescue aid, educational and research institutions, agriculture, renewable energy, tourism, racecourses, betting industry including internet betting, off-shore finance, environment, waste management, R&D&I, employment and training, regional development, public service broadcasting, export credits, funding applications, EC practice and procedure, remedies in national courts.

**Public procurement:** construction, goods and services, urban regeneration, police and security services, water industry, public infrastructure, telecoms, advertising rules, remedies, public/private joint ventures.

**Taxation:** direct tax, tax harmonization, excise duty, VAT, special levies, international transactions, tax and State aid, WTO subsidies.

**Employment law:** equal treatment and equal pay, positive action, transfer of undertakings, health and safety, freedom of movement for persons, training.

**Brussels Convention:** arbitration, revenue, consumer contracts, jurisdiction, interim measures, enforcement, class actions.

**Commercial agents:** good faith requirements, termination compensation, sub-agents' rights, service providers.

**Consumer protection:** food safety, medicines, food additives, nutrients, consumer contracts, pricing, motor insurance, bank charges.

**Agriculture:** export licensing, grants and subsidies, BSE, commodities, fisheries.

**Immigration, security and justice:** Schengen Agreement, free movement, citizenship, policing, extradition,

## Areas of Expertise

### Competition Law and State Subsidies

Conor is widely regarded as the leading expert at the Bar on EU State aid law (now also including the EU Foreign Subsidies Regulation) and is the author of the highly acclaimed *European State Aid Law and Policy* (4th edition, 2022, Hart Publishing and Bloomsbury Professional). He also advises widely on the UK Subsidy Control Act. He currently advises major international and multinational companies, as well as governmental and municipal authorities, on matters including subsidies to airlines and airports, bank restructuring following the credit crisis, and urban transport, internet communications and taxation. He has provided Expert Opinions in relation to several major international arbitrations, both at the arbitration and recognition/enforcement stages, on the application of State aid rules in commercial disputes between various EU Member States and investors pursuant to international and/or commercial obligations.

Conor has appeared in proceedings before the European Courts, the House of Lords, Supreme Court, Court of Appeal and High Court, as well as the European Commission. He is a Research Fellow at the University of Oxford's Institute of European and Comparative Law and a Visiting Professor in Practice at the London School of Economics. He also edited and co-authored "*Hong Kong Competition Law*" (Hart/Bloomsbury, 2016).

*Mead Johnson Nutrition v European Commission* EU:T:2022:217 – State aid – taxation of royalties in Gibraltar – rights of interested parties

Case T-517/12, *ALRO v European Commission* (judgment pending)

*Shannon LNG v Commission for Energy Regulation* [2013] IEHC 561

*AAH Pharmaceuticals Ltd v Pfizer Ltd* [2007] EWHC 565 (Chancery Division – pharmaceuticals – distributions system)

*International Power -v- NALOO* [2003] ECR I-11421 - competition law - ECSC Treaty

*IECC -v- European Commission* [2001] ECR I-3947 (ECJ - competition law - abuse of dominance - postal services)

*Irish Sugar Plc -v- European Commission* - [2001] ECR I-5333; [1999] ECR II-2969 (ECJ/CFI - competition law - abuse of dominance - pricing)

*Publishers Association -v- Commission* [1996] ECR I-121 (ECJ - competition law - net book agreement)

*R -v- Dearlove & Druker* - (1988) Crim LR 323 (Court of Appeal - competition law -fraud)

---

### EU Law

Conor has an eclectic range of cases across the spectrum of EU commercial law, covering matters as diverse as agriculture, commercial agency, employment law, environmental law, extradition, freedom of movement, motor insurance and taxation. He advises on all matters relating to EU law in general, including human rights law. He has appeared in proceedings in the European Court of Justice, the EU General Court, the House of Lords and Supreme Court, the Court of Appeal and the English and Irish High Courts.

*Air Transport Association of America v Sec of State for Energy and Climate Change* (Case C-366/10) [2011] ECR I-13755

*Churchill Insurance Co Ltd v Wilkinson* ([2012] EWCA 1166 – motor insurance – RTA s.151(8) indemnity – compatibility with Second Motor Insurance Directive – proportionality test)

*Churchill Insurance Co Ltd v Wilkinson* ([2011] ECR 12639 – motor insurance – general requirement to compensate victims)

*Churchill Insurance Co Ltd v Wilkinson* ([2010] EWCA 556 – motor insurance – RTA s.151(8) indemnity – compatibility with Second Motor Insurance Directive – reference to ECJ)

*Louca v A German Judicial Authority*, ([2009] UKSC 4 – extradition – European Arrest Warrant – repeated issuance of warrants - fundamental rights)

*United Kingdom v Council* (ECJ – judgment 18 December 2007 – Schengen Protocol – written submissions for Polish Government)

*Cooper -v- Pure Fishing* (Court of Appeal – 2004 - commercial agents - termination for fundamental breach)

*Light -v- Ty Europe* (Court of Appeal - judgment 25 July 2003 - commercial agency - sub-agents)

*Lennox -v- ILCO* (ECJ – [2003] ECR I-7091 - exports - agriculture - BSE)

*RCO Support Services -v- UNISON* [2002] ICR 751 (Court of Appeal - employment law - transfer of undertakings)

*White -v- White and the Motor Insurers Bureau* [2001] 2 All ER 43 (House of Lords - motor insurance - effect of directives)

*R -v- Governor of Gibraltar, ex parte AS Marrache & Co* (Gibraltar Court of Appeal, judgment 27 May 1999, not reported - import restrictions - liability of Member State for breach of EC Law)

*Mellett -v- European Court of Justice* [1998] ECR-SC (CFI - employment law - legitimate expectation)

*R -v- MAFF, ex parte National Farmers Union* [1998] ECR I-2211 (ECJ - agriculture - BSE - export restrictions)

*R -v- MAFF, ex parte Hedley Lomas (Ireland) Limited* [1996] ECR I-2553 (ECJ - liability of Member State for breach of EC Law - export restrictions)

*R -v- Lomas* [1992] ECR I-1781 (ECJ - agriculture)

---

## Tax

Conor advises on a broad range of EU-related tax matters, including the interaction of State aid and taxation, excise duty directives, direct taxation and free movement, environmental levies, agricultural levies

*Mead Johnson Nutrition v European Commission* EU:T:2022:217 – State aid – taxation of royalties in Gibraltar – rights of interested parties

*CFC State aid challenges* – corporation UK tax – group finance exemption – judgments pending

*R v Taylor & Wood* [2013] EWCA Crim 1151 (excise duty – smuggling - -proceeds of crime – penalties)

*White v The Crown*, [2010] EWCA Crim 978 (excise duty – smuggling – proceeds of crime - value of personal benefit)

*QRS 1 Aps -v- Frandsen* - [1999] 1 WLR 2169 (Court of Appeal - taxation - fraud - Brussels Convention)

*FMC -v- IBAP* [1996] ECR I-389 (ECJ - agriculture - clawbacks - restitution)

*R -v- Cousins* [1995] 3 CMLR (Court of Appeal - excise duty - criminal law)

---

## **Human Rights**

---

## **Private International Law**

---

## **Telecommunications and Information Technology**

---

## **Recommendations**

*Who's Who Legal UK Bar 2020*  
Competition

*Who's Who Legal UK Bar 2019*  
Competition

*Chambers Global 2019*  
UK, Competition Law

*Chambers Global 2018*  
UK, Competition Law

*Chambers & Partners 2018*  
Competition Law

*Chambers & Partners 2017*  
Competition Law

*Chambers & Partners 2016*  
Competition Law  
Public Procurement

*Chambers & Partners 2015*  
Competition Law  
Public Procurement

*The Legal 500 2015*  
EU and competition  
Public Procurement

---

## Quotes

"A leading state aid expert with vast experience and a deep understanding of the issues." (Chambers Global, 2019)

"A leading state aid expert with vast experience and a deep understanding of the issues." (Chambers & Partners, 2018)

"He is the leading barrister in the area of state aid." (Chambers & Partners, 2017)

"He has in-depth state aid knowledge and the ability to explain complex areas of the law in a clear and concise manner, which assists the court tremendously." (Chambers & Partners, 2016)

"A big name in state aid who has handled matters for a long time and written extensively on the subject." (Chambers & Partners, 2016)

"He's found a very simple very elegant and robust solution to our problem." (Chambers & Partners, 2015)

"He is very commercial - he won't just give you a legal answer, but also a practical one." (Chambers & Partners, 2015)

## Publications

### Books

*European State Aid Law and Policy* (and UK Subsidy Control) (Hart Publishing, Oxford, 4th edition 2022).

*Hong Kong Competition Law* (Hart Publishing/Bloomsbury), Oxford, 2016 (with Suzanne Rab and contributing authors)

*European Community Contract Law* – the effect of EC legislation on contractual rights, obligations and remedies (Kluwer Law International, London, 1997); published in French as *Droit Communautaire Des Contrats* (Kluwer, 1998)  
1992: *Completing the Internal Market* (Graham & Trotman, London, 1989 & 1991)

### Contributions to Books

Brexit Implications for State Aid Legislation in '*Tax Implications of Brexit*', ed. Saccardo (Bloomsbury Professional, 2021)

United Kingdom chapter in '*State Aid in the Banking Sector*', ed. Laprevote, Gray & de Cecco (Elgar, 2017)

World Duty Free Group case analysis in '*Milestones in State Aid Law – EstAL's First 15 Years in Perspective*' eds. Buts & Buendia (editors) (Lexxion 2017)

State Aid and abuse of law in '*Abuse of Law - A New General Principle of EU Law*', (Hart Publishing, 2010)

'*Oxford Encyclopedia on European Law*', Volume III, Competition Law, State aid section, ed. Toth (OUP, 2008)

State aid for research and development, in '*The EC State Aid Regime*', ed. Sanchez Rydelski, (Cameron May, 2006)

General Taxation and State Aid, in '*The Law of State Aid in the European Union*', ed Biondi, Eeckhout & Flynn (Oxford 2004)

Criminal law and EC law, in '*European Community Law in the National Courts*' ed. Andenas & Jacobs (Oxford, 1998)

Indirect taxation in '*The Principle of Equal Treatment in EC Law*', ed. Dashwood & O'Leary (Sweet & Maxwell, 1997)

## University Posts

Fellow in EC Law, Lady Margaret Hall, Oxford, 1991 - 1996

Honorary Research Fellow, Lady Margaret Hall, Oxford 1996 –

Visiting Research Fellow, Institute of European and Comparative Law, University of Oxford, 2008-

Research Fellow, Centre for European Law, King's College London, 2012-

Senior Fellow, International Tax Center, University of Leiden, 2014-16

Visiting Professor in Practice, London School of Economics, 2022-

### **Professional educational offices**

Chairman, Bar European Group, 1992-1994

Member, International Practice Committee, Bar Council, 1995-2000

Chairman, EU Law Section, Union International des Avocats, 2006-2010

### **Other**

Called to English Bar (Gray's Inn) 1985

Called to Irish Bar (King's Inn) 1993

Queen's Counsel 2003

Called to Northern Irish Bar 2009

---

### **Education & Qualifications**

King's College London, LL.B (1979)

University of Amsterdam, Dip. Eur. Int. (1980)

University of Oxford, MA Oxon (1991)

Called to English Bar (Gray's Inn) 1985

Called to Irish Bar 1993

King's Counsel 2003

Called to Northern Irish Bar, 2009

### **Appointments**

Arbitrator of the Shanghai International Arbitration Center's (SHIAC) New Panel. The term for the appointment is until August 2026.

---

