

## JUDGMENT OF THE GENERAL COURT (Seventh Chamber)

10 December 2025 ([\\*](#))

( State aid – Portuguese air transport market – Restructuring aid granted by Portugal to TAP SGPS and TAP Air Portugal – Commission decision authorising aid under Article 107(3)(c) TFEU – Guidelines on State aid for rescuing and restructuring undertakings in difficulty – Freedom of establishment – Freedom to provide services – Equal treatment – Obligation to state reasons )

In Case T-458/22,

**Ryanair DAC**, established in Swords (Ireland), represented by E. Vahida, F.-C. Laprévote, S. Rating, L. Geiger and C. Cozzani, lawyers,  
applicant,

v

**European Commission**, represented by J. Carpi Badía, I. Barcew and V. Bottka, acting as Agents,

defendant,

supported by

**Portuguese Republic**, represented by A. Pimenta, P. Barros da Costa, M. Ramos and A. Rodrigues, acting as Agents, and by N. Mimoso Ruiz and G. Oliveira e Costa, lawyers,

intervener,

THE GENERAL COURT (Seventh Chamber),

composed, at the time of the deliberations, of K. Kowalik-Bańczyk (Rapporteur), President, G. Hesse and B. Ricziová, Judges,

Registrar: S. Spyropoulos, Administrator,

having regard to the written part of the procedure,

further to the hearing on 5 June 2025,

gives the following

## Judgment

1 By its action under Article 263 TFEU, the applicant, Ryanair DAC, seeks the annulment of Commission Decision (EU) 2022/763 of 21 December 2021 on the State aid SA.60165 – 2021/C (ex 2021/N) which Portugal is planning to implement for TAP SGPS (OJ 2022 L 139, p. 19; 'the contested decision').

### I. Background to the dispute

2 On 10 June 2021, the Portuguese Republic notified the European Commission of its intention to grant restructuring aid within the meaning of the Guidelines on State aid for rescuing and restructuring non-financial undertakings in difficulty (OJ 2014 C 249, p. 1;