

EN

P-001369/2026

Answer given by Mr Tzitzikostas
on behalf of the European Commission
(11.6.2026)

1. It is primarily for national licensing authorities to review EU air carriers' compliance with ownership and control (O&C) requirements. The Commission oversees the application of the rules, in close collaboration with national licensing authorities.

It is for Member States to lay down the conditions for the acquisition and loss of their nationality¹, which however must have due regard to EU law². A Member State may not operate an institutionalised scheme which commercialises the grant of nationality³. At the same time, Member States must not restrict the effects of the grant of nationality of another Member State⁴. The Court of Justice did not hold that EU citizenship granted under such a scheme in violation of EU law would be limited in its legal effect.

2. An O&C assessment should consider the whole ownership structure, the natural persons who ultimately own the company, and their ability to positively influence strategic decision-making. The presence of non-EU air carriers in the ownership structure may be a relevant factor. However, the place of establishment of a special purpose entity or holding company per se does not affect this assessment.

3. The transaction has not been notified to the Commission under Regulation (EC) No 139/2004⁵. The transaction has been or is being reviewed by competition authorities of several Member States⁶. In addition, transactions involving financial contributions granted by non-EU public entities might be subject to a review under Regulation (EU) 2022/2560⁷.

¹ As noted in the Commission's interpretative guidelines, [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52017XC0616\(01\)](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52017XC0616(01)).

² Case C-135/08, 2.3.2010, *Rottmann*, paragraphs 39, 45, 48.

³ Case C-181/23, 24.6.2025, *Commission v Malta*.

⁴ Case C-369/90, 7.7.1992, *Micheletti and Others v Delegación del Gobierno en Cantabria*, paragraph 10.

⁵ EU Merger Regulation, OJ L 24, 29.1.2004, pp. 1–22.

⁶ Including Bulgaria, Czechia, Germany and Poland.

⁷ Foreign Subsidies Regulation, OJ L 330, 23.12.2022, pp. 1–45.