

**Question for written answer E-008631/2015
to the Commission**

Rule 130

Kazimierz Michał Ujazdowski (ECR)

Subject: Right to state aid established before accession to the EU

The EU strictly adheres to the rule of prior notification of all new state aid measures. In the case of countries which joined the EU in 2004, since accession all state aid has had to be notified. However, BDN, a company operating in the Special Economic Zone of Kamienna Góra in Poland, claims that it is eligible for an exemption from property tax established in 2012, before the date of the accession, and which was never notified.

Despite the lack of notification, BDN did not pay property tax to the Nowogrodzic municipality in the Dolnośląskie municipality in the period 2007-2015, which the municipality considers a form of illegal state aid which undermines competition. It must be added that the company BDN benefited from other state aid relating to the income tax and this aid was notified (Commission Decision of 10 December 2008, C 11/2008).

Can state aid which was never notified and which was established before Poland's accession to the EU be permitted?