

WRITTEN QUESTION E-4642/09
by Hynek Fajmon (ECR)
to the Commission

Subject: Action by the European Commission in the case of the complaint by a Czech theatre company about the procedure of the Prague municipal authority in allocating grants in the cultural and arts sector in the form of a subsidy

I have been asked to put this question by Mr Petr Kratochvíl, executive director of the firm FANTAZMA s.r.o., who runs a private theatre in Prague and has taken Prague's municipal authority (*Magistrát hlavního města Prahy*) to court regarding the allocation of grants in the cultural and arts sector. In his opinion, which I share, the action taken by the Prague municipal authority in this sector constitutes a breach of European law, specifically as regards the ban on state aid under Article 87 of the EC Treaty.

On 11 September 2007 Mr Kratochvíl lodged a complaint concerning a breach of EU law with the European Commission. On 18 June 2008, representatives of the European Commission had a meeting with representatives of the *Magistrát hlavního města Prahy* and the representative of the Office for the Protection of Competition of the Czech Republic. The complainant was informed of the outcome only on 17 October 2008. On 25 July 2009, the European Commission representation in the Czech Republic asked the Directorate-General for Competition what further action to take in this matter. The final position of the EC in this matter is not known. The case is registered under the number SG/CDC/2007/A7235.--/1.

I should like to ask the following questions:

1. Does the European Commission consider that the above case is within its competence? If not, why not?
2. When will the European Commission adopt its final position on this case?
3. What view does the European Commission take on the issue of state aid granted to commercial companies working in the field of culture and the arts?