

**Question for written answer E-006336/2012  
to the Commission**

Rule 117

**Carlos José Iturgaiz Angulo (PPE)**

Subject: Spanish shipyards (7)

On 29 June 2011, the Commission informed the Spanish Government of its decision to initiate a procedure to determine whether the so-called Spanish Tax Lease System (STL) is compatible with EU rules on state aid.

The launch of this procedure has placed the Spanish naval industry in a critical position, as it has been left without any legal framework within which to operate, making it impossible to conclude any new contracts. This has paralysed activity in the sector, with many of the contracts thus lost having been won by Dutch and Norwegian shipyards.

Since the start of the procedure, the Spanish authorities have repeatedly contacted the Competition Services, to provide them with all the information and documentation needed to demonstrate that the STL is not a form of state aid; that if it is considered a form of aid, it is compatible with the internal market; and finally, that if it should be considered incompatible, there should be no requirement to repay it, out of respect for the principles of legitimate expectation, legal certainty and equality.

Spain has spent almost a year negotiating with the Commission, with the aim of receiving the same treatment as France, which the Commission itself used as a point of reference: namely, no retroactive obligation to return hypothetical aid and, for the future, a new system allowing procurement. On the latter point, the Commission's services have proved inflexible.

In the last 10 years, shipyards located in EU Member States have seen their share of the market reduced from 19.7 % of worldwide shipbuilding orders to 5.2 %.

Does the Commission not take the view that its actions on shipbuilding could lead to an increase in Member States reporting each other and that, while the Commission investigates and deliberates, Asian countries could inexorably take over the entire shipbuilding market, forcing out European industry?