

WRITTEN QUESTION P-0003/07

by Aldis Kušķis (PPE-DE)

to the Commission

Subject: Regional taxes in Sardinia (Italy)

By passing Regional Law No 4 of 11 May 2006 ('Various provisions concerning revenue, reclassification of expenditure and social and development policies'), and notably its Articles 2, 3 and 4, the Council of the autonomous region of Sardinia (Italy) has introduced a number of taxes: a regional tax on additional income from second homes, a regional tax on second homes used for tourist purposes, and a regional tax on leisure aircraft.

Following the entry into force of these provisions, the Sardinian ports have registered a reduction in the transit of vessels of a length exceeding 14 metres (not owned by Sardinian residents and not used for regatta purposes) of, on average, 42% by comparison with 2005 (see data published by the consortium 'Sardinian Ports Network').

The Council of Ministers of the Italian Republic has contested the legitimacy of these taxes, lodging a complaint on 7 July 2006 with the Constitutional Court for infringement of Articles 3, 53 and 117 of the Constitution. In addition, the Sardinian Ports Network has, along with others, complained to the Commission on the grounds that Articles 12, 14 and 18 of the EC Treaty have been breached.

Does the Commission not believe that the regional taxes which have been introduced, affecting as they do people who are not resident or domiciled in Sardinia, are in breach of the Community principles of non-discrimination and the free movement of persons, goods, capital and services? What action will the Commission take to resolve this problem?