

**Question for written answer P-006327/2012
to the Commission**

Rule 117

Carlos José Iturgaiz Angulo (PPE)

Subject: Spanish shipbuilders

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.

Does the Commission and, more precisely, the Directorate General for Competition, hold a copy of the letter dated 9 March 2009 written by the then Commissioner for Competition, Neelie Kroes, in formal response to a query about the STL from the Norwegian Minister of Markets and Industry, Sylvia Brustad, dated 13 February 2009, in which she categorically states that an investigation of the STL had concluded that the Spanish system was not discriminatory and that no additional measures needed to be taken?

Since when has the present Commissioner for Competition been aware of the existence of his predecessor Neelie Kroes' letter stating that the Spanish Tax Lease System is not discriminatory and that no measures therefore need to be taken against it?