

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 22 June 2005

in Case T-102/03 Centro informativo per la collaborazione tra le imprese e la promozione degli investimenti in Sicilia SpA (CIS) v Commission of the European Communities ⁽¹⁾

(European Regional Development Fund — Withdrawal of financial assistance — Failure to take into consideration expenditure committed by the beneficiary of the assistance — Article 24 of Regulation (EEC) No 4253/88 — Obligation to give reasons — Raised by the Court of its own motion)

(2005/C 205/32)

(Language of the case: Italian)

In Case T-102/03: Centro informativo per la collaborazione tra le imprese e la promozione degli investimenti in Sicilia SpA (CIS), established in Catania (Italy), represented by A. Scuderi and G. Motta, lawyers, against Commission of the European Communities (Agents: E. de March and L. Flynn, assisted by A. Dal Ferro, lawyer, with an address for service in Luxembourg) — action for annulment of Commission Decision C (2002) 4155 of 15 November 2002, relative to the withdrawal of assistance from the European Regional Development Fund (ERDF) granted by Commission Decision C (93) 256/4 of 16 February 1993 in the form of a global grant in respect of the activities of an information centre for collaboration between undertakings and the promotion of investment and recovery of the advance paid by the Commission as part of that assistance — the Court of First Instance (First Chamber), composed of J.D. Cooke, President, R. García-Valdecasas and I. Labucka, Judges; J. Palacio González, Principal Administrator, for the Registrar, gave a judgment on 22 June 2005, in which it:

1. Annuls Commission Decision C (2002) 4155 of 15 November 2002 on the withdrawal of assistance from the European Regional Development Fund granted by Commission Decision C (93) 256/4 of 16 February 1993 in so far as it withdraws assistance concerning the expenditure effected by the Centro informativo per la collaborazione tra le imprese e la promozione degli investimenti in Sicilia SpA in the certified amount of ITL 688 505 743;
2. Orders the Commission to bear its own costs and to pay those incurred by the applicant.

⁽¹⁾ OJ C 112 of 10.5.2003.

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 15 June 2005

in Case T-349/03 Corsica Ferries France SAS v Commission of the European Communities ⁽¹⁾

(State aid — Action for annulment — Restructuring aid — Decision declaring the aid compatible with the common market — Commission guidelines — Duty to give statement of reasons — Compliance with the conditions — Minimal character of the aid)

(2005/C 205/33)

(Language of the case: French)

In Case T-349/03: Corsica Ferries France SAS, established in Bastia (France), represented by S. Rodrigues and C. Scapel, lawyers, with an address for service in Luxembourg, against Commission of the European Communities (Agents: C. Giolito and H. van Vliet, with an address for service in Luxembourg), supported by the French Republic (Agents: G. de Bergues and S. Ramet, with an address for service in Luxembourg) and by Société nationale maritime Corse Méditerranée (SNCM) SA, established in Marseille (France), initially represented by H. Tassej, then by O. d'Ormesson and A. Bouin, lawyers — action for annulment of Commission Decision 2004/166/EC of 9 July 2003 on aid which France intends to grant for the restructuring of the Société Nationale Maritime Corse-Méditerranée (SNCM) (OJ 2004 L 61, p. 13) — the Court of First Instance (Third Chamber), composed of M. Jaeger, President, V. Tiili and O. Czúcz, Judges; I. Natsinas, Administrator, for the Registrar, gave a judgment on 15 June 2005, in which it:

1. Annuls Commission Decision 2004/166/EC of 9 July 2003 on aid which France intends to grant for the restructuring of the Société Nationale Maritime Corse-Méditerranée (SNCM);
2. Orders the Commission to pay the applicant's costs and to bear its own costs.
3. Orders the French Republic and SNCM to bear their own costs.

⁽¹⁾ OJ C 7 of 10. 01. 2004