

Judgment of the General Court of 22 April 2016 — France v Commission**(Case T-56/06 RENV II) ⁽¹⁾****(State aid — Directive 92/81/EEC — Excise duties on mineral oils — Mineral oils used as fuel for alumina production — Exemption from excise — Legitimate expectations — Legal certainty — Reasonable time)**

(2016/C 200/25)

Language of the case: French

Parties*Applicant:* French Republic (represented by: G. de Bergues, D. Colas and R. Coesme, acting as Agents)*Defendant:* European Commission (represented by: V. Di Bucci, N. Khan, G. Conte, D. Grespan and K. Walkerová, acting as Agents)**Re:**

Application for the annulment of Article 5 of Commission Decision 2006/323/EC of 7 December 2005 concerning the exemption from excise duty on mineral oils used as fuel for alumina production in Gardanne, in the Shannon region and in Sardinia, respectively, implemented by France, Ireland and Italy (OJ 2006 L 119, p. 12), in so far as it obliges the French Republic to recover the State aid incompatible with the common market it granted, between 3 February 2002 and 31 December 2003, on the basis of the exemption from excise duty on mineral oils used as fuel for alumina production in the Gardanne region (France).

Operative part of the judgment*The Court:*

1. Dismisses the action;
2. Orders the French Republic to bear its own costs and to pay three quarters of the costs of the Commission in Cases T-56/06, T-56/06 RENV I and T-56/06 RENV II and three twentieths of the costs incurred by the Commission in Cases C-89/08 P and C-272/12 P;
3. Orders the Commission to bear one quarter of its own costs in Cases T-56/06, T-56/06 RENV I and T-56/06 RENV II and one fifth of its own costs in Cases C-89/08 P and C-272/12 P.

⁽¹⁾ OJ C 96, 22.4.2006.

Judgment of the General Court of 22 April 2016 — Italy and Eurallumina v Commission**(Joined Cases T-60/06 RENV II and T-62/06 RENV II) ⁽¹⁾****(State aid — Directive 92/81/EEC — Excise duties on mineral oils — Mineral oils used as fuel for alumina production — Exemption from excise — Selective nature of the measure — Aid which may be considered compatible with the common market — Community guidelines on State aid for environmental protection — Guidelines on national regional aid 1998 — Legitimate expectations — Legal certainty — Principle *lex specialis derogat legi generali* — Principles of presumption of legality and of the *effet utile* of acts of the institutions — Principle of sound administration — Obligation to state reasons)**

(2016/C 200/26)

Languages of the case: Italian and English

Parties*Applicants:* Italian Republic (represented by: G. Palmieri, acting as Agent, and G. Aiello, avvocato dello Stato), and Eurallumina SpA (Portoscuso, Italy) (represented by: L. Martin Alegi, R. Denton, A. Stratakis and L. Philippou, Solicitors)