

Judgment of the General Court of (Eighth Chamber) of 6 April 2017 — Saremar v Commission(Case T-220/14) ⁽¹⁾

(State aid — Maritime transport — Public service compensation — Capital increase — Decision declaring aid incompatible with the internal market and ordering that it be recovered — Liquidation of the applicant — Capacity to be a party to legal proceedings — Continued interest in bringing proceedings — Failure to find that there was no need to adjudicate — Concept of aid — Service of general economic interest — Private investor test — Manifest error of assessment — Error of law — Plea of illegality — Obligation to state reasons — Rights of the defence — Decision 2011/21/EU — Guidelines on State aid for rescuing and restructuring firms in difficulty — Union framework applicable to State aid in the form of public service compensation — Altmark judgment)

(2017/C 161/28)

Language of the case: Italian

Parties

Applicant: Saremar — Sardegna Regionale Marittima SpA (Cagliari, Italy) (represented by: G.M. Roberti, G. Bellitti and I. Perego, lawyers)

Defendant: European Commission (represented by: G. Conte, D. Grespan, and A. Bouchagiar, Agents)

Interveners in support of the defendants: Compagnia Italiana di Navigazione SpA (Naples, Italy) (represented initially by: F. Sciaudone, R. Sciaudone, D. Fioretti and A. Neri, and subsequently by M. Merola, B. Carnevale and M. Toniolo, lawyers)

Re:

Application under Article 263 TFEU for annulment of Commission Decision C(2013) 9101 final of 22 January 2014 concerning aid measures SA.32014 (2011/C), SA.32015 (2011/C), SA.32016 (2011/C) granted by the Autonomous Region of Sardinia (Italy) to Saremar in the form of public service compensation and a capital increase, in so far as that decision found those measures to be State aid incompatible with the internal market and ordered that it be recovered.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Saremar — Sardegna Regionale Marittima SpA to bear its own costs and to pay those incurred by the European Commission and Compagnia Italiana di Navigazione SpA.

⁽¹⁾ OJ C 175, 10.6.2014.

Judgment of the General Court of 5 April 2017 — HB and Others v Commission(Case T-361/14) ⁽¹⁾

(Law governing the institutions — European citizens' initiative — Protection of stray animals — Psychological effects on adults and children — Refusal of registration — Manifest lack of powers of the Commission — Article 4(2)(b) and (3) of Regulation (EU) No 211/2011)

(2017/C 161/29)

Language of the case: German

Parties

Applicants: HB (Linz, Austria) and the six other applicants whose names are set out in the annex to the judgment (represented by: initially C. Kolar, and subsequently by F. Moyses, lawyers)