

2. Dismisses the action as to the remainder;
3. Orders the EIB to pay the costs.

<sup>(1)</sup> OJ C 53, 15.2.2021.

---

**Judgment of the General Court of 7 September 2022 — Slovakia v Commission**

(Case T-40/21) <sup>(1)</sup>

**(EAGF — Expenditure excluded from financing — Absence of procedures for recovery of aid overpaid — Procedural safeguards — Article 52(4)(a) of Regulation (EU) No 1306/2013 — Article 34(2) of Implementing Regulation (EU) No 908/2014)**

(2022/C 418/27)

Language of the case: Slovak

**Parties**

*Applicant:* Slovak Republic (represented by: E. Drugda, Agent)

*Defendant:* European Commission (represented by: M. Kaduczak, R. Lindenthal and A. Sauka, Agents)

**Re:**

By its action based on Article 263 TFEU, the Slovak Republic seeks annulment of Commission Implementing Decision (EU) 2020/1734 of 18 November 2020 excluding from European Union financing certain expenditure incurred by the Member States under the European Agricultural Guarantee Fund (EAGF) and under the European Agricultural Fund for Rural Development (EAFRD) (OJ 2020 L 390, p. 10), in so far as a financial correction of EUR 19 656 905,11 applies to the Slovak Republic concerning decoupled direct aid for the financial year 2016.

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders the Slovak Republic to pay the costs.

<sup>(1)</sup> OJ C 98, 22.3.2021.

---

**Judgment of the General Court of 21 September 2022 — Portugal v Commission (Madeira Free Zone)**

(Case T-95/21) <sup>(1)</sup>

**(State aid — Madeira Free Zone — Aid scheme implemented by Portugal — Decision finding that the scheme does not comply with Decisions C(2007) 3037 final and C(2013) 4043 final, declaring it to be incompatible with the internal market, and ordering the recovery of aid paid under that scheme — Concept of State aid — Existing aid within the meaning of Article 1(b)(i) and (ii) of Regulation (EU) 2015/1589 — Recovery — Legitimate expectations — Legal certainty — Principle of sound administration — Absolute impossibility of implementation — Limitation — Article 17 of Regulation 2015/1589)**

(2022/C 418/28)

Language of the case: Portuguese

**Parties**

*Applicant:* Portuguese Republic (represented by: P. Barros da Costa, A. Soares de Freitas and L. Borrego, acting as Agents, and by M. Gorjão-Henriques and A. Saavedra, lawyers)