

Form of order sought

The applicant claims that the General Court should:

- annul the contested decision in respect of Articles 1 and 4;
- order the defendant institution to pay the costs.

Pleas in law and main arguments

In support of the action brought against Commission Decision (EU) 2022/1414 of 4 December 2020 on aid scheme SA.21259 (2018/C) (ex 2018/NN) implemented by Portugal for Zona Franca da Madeira (ZFM) — Regime III (notified under document C(2020) 8550) (OJ 2022 L 217, p. 49), the applicant relies on four pleas in law that are, essentially, identical or similar to those relied on in Case T-702/22, *TA v Commission*.

Action brought on 15 November 2022 — Bourbon Offshore Interoil Shipping v Commission

(Case T-721/22)

(2023/C 35/91)

Language of the case: Portuguese

Parties

Applicant: Bourbon Offshore Interoil Shipping — Navegação, Lda (Funchal, Portugal) (represented by: S. Fernandes Martins and M. Mendonça Saraiva, lawyers)

Defendant: European Commission

Form of order sought

The applicant claims that the General Court should:

- annul Commission Decision (EU) 2022/1414 of 4 December 2020 on aid scheme SA.21259 (2018/C) (ex 2018/NN) implemented by Portugal for Zona Franca da Madeira (ZFM) — Regime III;
- in any event, without prejudice to the previous head of claim, annul Article 4 of Commission Decision (EU) 2022/1414 of 4 December 2020 on aid scheme SA.21259 (2018/C) (ex 2018/NN) and, consequently, the order to recover the aid from the beneficiaries, together with interest;
- annul the contested decision in accordance with Article 264 TFEU;
- order the defendant to pay the costs.

Pleas in law and main arguments

In support of the action, the applicant relies on two pleas in law.

First plea in law, alleging that the methodology proposed by the European Commission of defining the concept of 'job creation' in FTEs (Full-Time Equivalents) and ALUs (Annual Labour Units), as used in the Guidelines on national regional aid for 2007-2013 (OJ 2006 C 54, p. 13), is inapplicable.

Second plea in law, alleging the inadmissibility of the order to recover the aid from the beneficiaries and to pay interest.
