

## V

(Announcements)

## COURT PROCEEDINGS

## EFTA COURT

## JUDGMENT OF THE COURT

of 29 July 2016

in Case E-25/15

**EFTA Surveillance Authority v Iceland***(Failure by an EFTA State to fulfil its obligations — State aid — Article 14(3) of Part II of Protocol 3 SCA — Failure to recover unlawfully granted aid)*

(2017/C 108/10)

In Case E-25/15, EFTA Surveillance Authority v Iceland — APPLICATION for a declaration that by failing to take within the prescribed time all the necessary measures to recover from the recipients the State aid declared incompatible with the functioning of the Agreement on the European Economic Area by Articles 2, 3, 4 and 5 of EFTA Surveillance Authority Decision No 404/14/COL of 8 October 2014 *on the Investment Incentive Scheme in Iceland*; by failing to cancel, within the prescribed time any outstanding payments referred to in Article 7 third sentence of that decision; and by failing to provide the EFTA Surveillance Authority, within the prescribed time, with the information outlined in Article 8 of that decision, Iceland has failed to fulfil its obligations under Article 14(3) of Part II of Protocol 3 to the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice, and under Articles 6, 7 and 8 of EFTA Surveillance Authority Decision No 404/14/COL, the Court, composed of Carl Baudenbacher, President, Per Christiansen (Judge-Rapporteur) and Páll Hreinsson, Judges, gave judgment on 29 July 2016, the operative part of which is as follows:

The Court hereby:

1. Declares that Iceland has failed to fulfil its obligations under Article 14(3) of Part II of Protocol 3 to the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice, and Articles 6, 7 and 8 of EFTA Surveillance Authority Decision No 404/14/COL of 8 October 2014 on the Investment Incentive Scheme in Iceland, by failing, within the time limits prescribed, to take all the necessary measures to recover from the recipients the State aid declared incompatible with the functioning of the Agreement on the European Economic Area by Articles 3, 4 and 5 of that decision, to cancel any outstanding payments referred to in Article 7 third sentence of that decision, and to provide the EFTA Surveillance Authority with the information outlined in Article 8 of that decision.
  2. Orders Iceland to bear the costs of the proceedings.
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