Competition: state aid. 9th report

2001/2269(COS) - 21/03/2001 - Document attached to the procedure

This report from the Commission concerns the implementation in 2000 of Commission Decision 2496/96 /ECSC of 18 December 1996 establishing Community rules for State aid to the steel industry (Steel Aid Code). Article 8 of Commission Decision 2496/96/ECSC of 18 December 1996 establishing Community rules for State aid to the steel industry1 (hereinafter referred to as the Steel Aid Code) requires the Commission to draw up annual reports on the implementation of this Decision to the Council and, for information, for the European Parliament and the Consultative Committee. This report covers all decisions in 2000 of the Steel Aid Code. Under the Code, the Commission took decisions concerning 17 cases, five of which were approved without opening the investigating procedure, eight were the object of final decisions and the other four of a decision to initiate proceedings. The cases that the Commission approved without raising any objections concerned research and development activities carried out by undertakings in Belgium and in Germany and two cases consisted of environmental tax schemes, in Germany and Sweden. The cases that proved to be more problematic were those of investment aid for environmental protection. In three of those cases, the Commission took an initial decision to initiate proceedings and in one case involving five companies it took a final negative decision. It also took two partially negative decisions in two other such cases. The Commission also took a new decision concerning the Spanish company Tubacex, reversing its initial decision taken in 1997, which had been annulled by the European Court of Justice. It now decided that the debt rescheduling made in favour of the company by public institutions was in line with the practice of a private creditor in similar circumstances and that no aid was involved. In the case of the French company Myriad, the Commission decided to close proceedings taking note that, in the time since the opening of the procedure, the company had paid back the unduly received aid accrued with the due interests. In two cases of tax credits for foreign investments made by steel companies, it took a negative decision concerning the Spanish law and initiated proceedings in the case of the French law. The Commission also took a final negative decision concerning the regional aid that Germany had granted to Salzgitter. In the case of Cockerill, it took a final negative decision, considering that the employment aid granted by Belgium was illegal and incompatible with the common market.