

SUMMARY

ECJ 29 July 2019, case C-659/17 (Azienda Napoletana Mobilità SpA), Miscellaneous

Decision 2000/128 on illegal Italian state aid also applies to companies who benefitted from that aid.

Question

Must Decision 2000/128 be interpreted as applying to an undertaking, such as that at issue in the main proceedings, which, on the basis of a direct and exclusive award by a municipality, provided local public transport services and benefited from reductions in social security contributions under national legislation which was declared by that decision to be incompatible, in part, with the prohibition laid down in Article 107(1) TFEU?

Ruling

Subject to verifications which are to be made by the referring court, Commission Decision 2000/128/EC of 11 May 1999 concerning aid granted by Italy to promote employment must be interpreted as applying to an undertaking, such as that in the main proceedings, which, on the basis of a direct and exclusive award by a municipality, provided local public transport services and benefited from reductions in social security contributions under national legislation which was declared by that decision to be incompatible, in part, with the prohibition laid down in Article 107(1) TFEU.

Creator: European Court of Justice (ECJ)

Verdict at: 2019-07-29

Case number: C-659/17