

Commission Decision of 23 March 2011 on State aid C 39/07 implemented by Italy for Legler SpA (notified under document C(2011) 1758) (Only the Italian text is authentic) (Text with EEA relevance) (2012/51/EU)

*Article 1*

The formal investigation procedure under Article 108(2) of the Treaty in respect of the direct grant of EUR 13,2 million to the company Legler SpA is closed.

*Article 2*

The public guarantee amounting to EUR 13 million and the debt-for-equity swap of EUR 383 850 respectively, granted by Italy in breach of Article 108(3) of the Treaty in favour of Legler SpA constitute State aid incompatible with the internal market.

*Article 3*

- 1 Italy shall recover the aid referred to in Article 2 from the beneficiary.
  - 2 The sums to be recovered shall bear interest until the date of their actual recovery.
- As regards the public guarantee, such interest shall be calculated from the day following Italy's withdrawal of notification of the restructuring aid.
- As regards the debt-for-equity swap, such interest shall be calculated from the date on which the aid was made available to the beneficiary.
- 3 The interest shall be calculated on a compound basis in accordance with Chapter V of Commission Regulation (EC) No 794/2004<sup>(1)</sup> and Commission Regulation (EC) No 271/2008<sup>(2)</sup> amending Regulation (EC) No 794/2004.
  - 4 Italy shall cancel all outstanding payments of the aid referred to in Article 2 with effect from the date of adoption of this Decision.

*Article 4*

- 1 Recovery of the aid referred to in Article 2 shall be immediate and effective.
- 2 Italy shall ensure that this decision is implemented within four months following the date of notification of this Decision.

*Article 5*

- 1 Within two months following notification of this Decision, Italy shall submit the following information to the Commission:
  - a the total amount (principal and interest) to be recovered from the beneficiary;
  - b a detailed description of the measures already taken or planned to comply with this Decision;
  - c documents demonstrating that the beneficiary has been ordered to repay the aid.
- 2 Italy shall keep the Commission informed of the progress of the national measures taken to implement this Decision until recovery of the aid referred to in Article 2 has been completed. It shall immediately submit, upon request by the Commission, information on the measures already taken and planned to comply with this Decision. It shall also provide detailed information concerning the amounts of aid and interest already recovered from the beneficiary.

**Changes to legislation:** There are currently no known outstanding effects for the Commission Decision of 23 March 2011 on State aid C 39/07 implemented by Italy for Legler SpA (notified under document C(2011) 1758) (Only the Italian text is authentic) (Text with EEA relevance) (2012/51/EU). (See end of Document for details)

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*Article 6*

This Decision is addressed to the Italian Republic.

Done at Brussels, 23 March 2011.

*For the Commission*

Joaquín ALMUNIA

*Vice-President*

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- (1) [OJ L 140, 30.4.2004, p. 1.](#)
- (2) [OJ L 82, 25.3.2008, p. 1.](#)

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