Order of the Court (Fourth Chamber) of 14 September 2006 — Comunidad Autónoma de la Rioja v Ramondín and Others

(Case C-186/02 P-DEP)

Taxation of costs

Procedure — Costs — Taxation — Recoverable costs — Matters to be taken into consideration (Rules of Procedure of the Court, Art. 73(b)) (see paras 13, 14)

Re:

APPLICATION for taxation of costs following the judgment of the Court (Second Chamber) of 11 November 2004.

Operative part

The total amount of the costs which Ramondín SA and Ramondín Cápsulas SA are to reimburse to the Comunidad Autónoma de La Rioja is set at EUR 4 723.44.

Order of the Court (Fifth Chamber) of 14 September 2006 — Banca Popolare FriulAdria v Agenzia delle Entrate, Ufficio Pordenone

(Case C-336/04)

State aid — Decision 2002/581/EC — Tax advantages granted to banks — First subparagraph of Article 104(3) of the Rules of Procedure — Question referred for a preliminary ruling identical to a question on which the Court has already ruled

State aid — Commission decision finding aid to be incompatible with the common market — National measure ordering repayment of the aid (Art. 87 EC; Council Regulation No 659/1999, Art. 14) (see para. 38, operative part 2)

Re:

Reference for a preliminary ruling — Commissione tributaria provinciale di Pordenone — Validity of Commission Decision 2002/581/EC of 11 December 2001 on the tax measures for banks and banking foundations implemented by Italy (notified under document number C(2001) 3955) (OJ 2002 L 184, p. 27).

Operative part

1. Consideration of the questions referred has disclosed no factor of such a kind as to affect the validity of Commission Decision 2002/581/EC of 11 December 2001 on the tax measures for banks and banking foundations implemented by Italy;

2. Article 87 EC et seq., Article 14 of Council Regulation (EC) No 659/1999 of 22 March 1999 laying down detailed rules for the application of Article 93 of the EC Treaty and the principles of the protection of legitimate expectations, legal certainty and proportionality cannot preclude a national measure ordering the recovery of aid pursuant to a Commission decision which has classified that aid as incompatible with the common market and consideration of which in the light of those same provisions and general principles has disclosed no factor of such a kind as to affect its validity.