

**Judgment of the Court of First Instance (Second Chamber)  
of 6 September 2006 — Italy and Wam v Commission**

**(Joined Cases T-304/04 and T-316/04)**

State aid — Loans at reduced rates intended to make it possible to become established in certain non-member countries — Effect on trade between Member States and distortion of competition — Statement of reasons

*State aid — Commission decision finding aid to be incompatible with the common market (Arts 87(1) EC and 253 EC) (see paras 60-78)*

**Re:**

APPLICATION for annulment of Commission Decision 2006/177/EC of 19 May 2004 on State aid No C 4/2003 (ex NN 102/2002) implemented by Italy for WAM SpA (OJ 2006 L 63, p. 11).

**Operative part**

The Court:

1. Annuls Commission Decision 2006/177/EC of 19 May 2004 on State aid No C 4/2003 (ex NN 102/2002) implemented by Italy for WAM SpA (OJ 2006 L 63, p. 11);
2. Dismisses the actions as to the remainder;
3. Orders the Commission to bear its own costs and to pay those incurred, in Case T-304/04, by the Italian Republic and, in Case T-316/04, by Wam, including those relating to the interim proceedings.