Question for written answer E-005607/2014
to the Commission
Rule 130
Reinhard Bütikofer (Verts/ALE)

Subject: Expo 2015 - Italian public procurement cases

Seven arrests and 80 searches have taken place in Italy as a result of inquiries into a corruption case involving Expo 2015 (to be held in Milan in May 2015). The newspaper *La Repubblica* reported that the Italian Government had waived 82 provisions of the procurement code by means of four prime ministerial orders in connection with preparations for Expo 2015. As a result, the antitrust and national audit authorities were unable to exercise any scrutiny over the procurement procedures concerned. The Italian government's justification for doing this was that the situation was an 'emergency'.

Furthermore, some EUR 2.3 million were paid to a temporary business association for armed security services under the 'restricted and simplified' procedure. Such payments are however only permitted 'for contracts that do not exceed half a million euros'. Some 72 contracts were delivered 'without prior publication of the contract.' In the case of Pedemontana, an Expo 2015 side-project, the guarantor identified an increase of EUR 250 million in total costs in March 2013. The inspector's report stated that in the contract there was 'objective evidence of distortion of competition and consequent alteration of the outcome of the race'.

Despite the unjustified increase in the cost and the fact that no financial plan was in place, the Pedemontana project apparently qualifies for benefits and tax relief under Article 33 of Law 221/2012, converting into law Decree Law 179/2012.

In this context, has the Commission, either on its own initiative or upon notification by Italy, verified whether the waiver of these 82 procurement provisions complies with EU rules?

Can the Commission please clarify whether paragraphs 1 to 3 of Article 33 bis of Law 221/2012 of 17 December 2012, converting into law Decree Law 179/2012 of 18 October 2012 regarding 'additional urgent measures for the growth of the country' constitute State aid in breach of the rules on competition laid down in Articles 107, 108 and 109 of the Treaty on the Functioning of the European Union.