

Alþingi  
Erindi nr. P 138/827  
komudagur 18.12.2009



Elkem Ísland ehf  
Grundartanga  
301 Akranes

FJÁRMÁLARÁÐUNEYTIÐ

*Ministry of Finance*

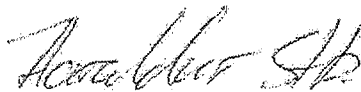
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Reykjavík December 7, 2009  
Reference: FJR09120021/500

It is the understanding of the Ministry of Finance that the Act No 18/1977 on Elkem is a special act in connection with a general act on taxation of electricity. Therefore the special provision in the Act No 18/1977 on exemption from electricity taxes is not as such affected by a general adoption of electricity tax in Iceland. This is in accordance with the Lex Specialis rule of law. The Ministry of Finance will positively consider any necessary steps to clarify this in the general act on electricity tax and/or in its preparatory works.

However, it should be noted that all special exemptions from taxes might, in general, be considered as being state aid measures in accordance with Article 61 of the EEA Agreement. The Act No 18/1977 has not been notified to the EFTA Surveillance Authority, since the Act precedes the EEA Agreement.

On behalf of the Minister

  
Haraldur Steinhólmur

  
Ögmundur Hrafn Magnússon