

10.12.2008 D/ 002466

Dr. Caroline Lucas, MEP
Rue Wiertz,
B-1047 Brussels

Dear Dr. Lucas,

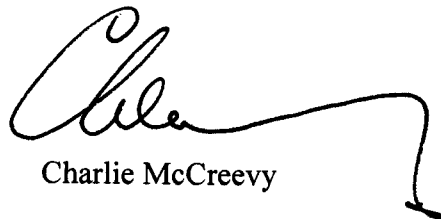
Thank you for your letter of 28th October which was transferred to me by Commissioner Almunia.

I understand the concerns and the uncertainties that a number of your constituents are facing concerning the refund of their deposits in Kaupthing Singer & Friedlander (Isle of Man).

However, I regret to inform you that the Commission is not in a position to take any action which might help resolve the issues raised by your constituents, as special terms were negotiated for the Isle of Man when the UK joined the EC. According to Article 299 (5)(c) of the EC Treaty, as amended by the Act of Accession, the provisions of the EC Treaty are applicable to the Isle of Man only to the extent laid down by Protocol No 3 to the Treaty of Accession. Consequently, the Isle of Man falls within the Common Customs Area and the Common External Tariff. Other Community law provisions, such as those related to the establishment of the Internal Market (including Directive 94/19/EC on deposit-guarantee schemes) which would underpin any intervention by the Commission, do not apply in the territory of the Isle of Man.

As a consequence, the Commission is not in a position to intervene in any way in the situation of depositors at Kaupthing Singer & Friedlander (Isle of Man).

Yours sincerely,



Charlie McCreevy