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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, which apply in Great Britain, replace the Beef Premiums (Recovery Powers) Regulations 1978 which enabled the Intervention Board for Agricultural Produce (“the Board”) to recover a payment of beef variable premium in certain circumstances.

These Regulations, which implement the obligation contained in Article 9(5) of Commission Regulation (EEC) No. 714/89 (OJ No. L78, 21.3.89, p.38) to recover premiums improperly paid together with interest to be fixed by the Member State concerned, enable the Board to recover—

- (a) such amount of premium paid to an applicant in a calendar year as is repayable pursuant to that Article together with interest in circumstances where—
  - (i) he has made a false statement in connection with that payment; or
  - (ii) he has contravened or failed to comply with any requirement of the Council and Commission Regulations laying down general and detailed rules respectively applying to the special premium for beef producers; and
- (b) from a person who, in contravention of that Order, has in his possession an animal in respect of which a premium payment has been made such amount (not exceeding that premium) together with interest as is due to the Board pursuant to that Article.