

Commission Regulation (EC) No 340/2008 of 16 April 2008 on the fees and charges payable to the European Chemicals Agency pursuant to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (Text with EEA relevance)

## CHAPTER IV

### PAYMENTS

#### *Article 16*

#### **Mode of payment**

- 1 The fees and charges shall be paid in euro.
- 2 Payments shall be made only after the Agency has issued an invoice, with the exception of payments due under Article 10.
- 3 Payments shall be made by means of a transfer to the bank account of the Agency.

#### *Article 17*

#### **Identification of the payment**

- 1 Every payment must indicate in the reference field the invoice number, with the exception of payments due under Article 10.

Payments due under Article 10 shall indicate in the reference field the identity of the appellant(s) and, if available, the number of the decision that is being appealed.

- 2 If the purpose of the payment cannot be established, the Agency shall set a deadline by which the payer must notify it in writing of the purpose of the payment. If the Agency does not receive a notification of the purpose of the payment before expiry of that deadline, the payment shall be considered invalid and the amount concerned shall be refunded to the payer.

#### *Article 18*

#### **Date of payment**

- 1 The date on which the full amount of the payment is deposited in a bank account held by the Agency shall be considered to be the date on which the payment has been made.

- 2 The payment shall be considered to have been made in time where sufficient documentary evidence is produced to show that the payer ordered the transfer to the bank account indicated on the invoice before expiry of the relevant deadline.

A confirmation of the transfer order issued by a financial institution shall be regarded as sufficient evidence. However, where the transfer requires the use of the SWIFT electronic bank payment method, the acknowledgement of provision of the transfer

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*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 340/2008, CHAPTER IV. (See end of Document for details)*

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order shall take the form of a copy of the SWIFT report, stamped and signed by a duly authorised official of a financial institution.

#### *Article 19*

### **Insufficient payment**

1 A deadline for payment shall be considered to have been observed only if the full amount of the fee or charge has been paid in due time.

2 When an invoice relates to a group of transactions, the Agency may attribute any under-payment to any of the relevant transactions. The criteria for the attribution of payments shall be laid down by the Management Board of the Agency.

#### *Article 20*

### **Refund of amounts paid in excess**

1 The arrangements for the refund to the payer of amounts paid in excess of a fee or a charge shall be fixed by the Executive Director of the Agency and published on the website of the Agency.

However, where an amount paid in excess is under EUR 100 and the party concerned has not expressly requested a refund, the amount paid in excess shall not be refunded.

2 It shall not be possible to count any amounts paid in excess towards future payments to the Agency.

**Changes to legislation:**

There are currently no known outstanding effects for the Commission Regulation (EC) No 340/2008, CHAPTER IV.