
DRAFT STATUTORY INSTRUMENTS

2019 No.

The State Aid (EU Exit) Regulations 2019

PART 4

Enforcement

Recovery order

40.—(1) If the CMA takes a decision under regulation 17 (unlawful aid) or 21 (misuse of aid) not to approve aid, the CMA must make a recovery order requiring the aid grantor to take all necessary measures to recover the aid and interest payable on the aid from the beneficiary.

(2) However, the CMA must not make a recovery order if—

- (a) making the order would be contrary to the protection of a legitimate expectation created by the CMA; or
- (b) the limitation period for the aid has expired.

(3) A recovery order may, but is not required to, specify the amount of aid to be recovered.