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DRAFT STATUTORY INSTRUMENTS

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**2019 No.**

**The State Aid (EU Exit) Regulations 2019**

**PART 4**

**Enforcement**

**Recovery of aid**

- 44.**—(1) If the CMA makes a recovery order or an interim recovery order—
- (a) the aid grantor must notify the beneficiary of the order;
  - (b) the aid grantor must take all necessary measures to recover the aid and interest payable on the aid from the beneficiary; and
  - (c) the aid grantor has a right to recover the aid and interest payable on the aid from the beneficiary.
- (2) Interest payable on the aid is calculated in accordance with regulations 58 and 59.
- (3) In any proceedings that rely on the right in paragraph (1)(c), it is a defence for the beneficiary to show that—
- (a) recovery of the aid would be contrary to the protection of a legitimate expectation created by the CMA; or
  - (b) the limitation period for the aid had expired at the time the recovery order was made by the CMA.