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DRAFT STATUTORY INSTRUMENTS

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**2019 No.**

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

**PART 3**

**Procedure**

**CHAPTER 1**

**Notified aid**

**Failure to take decision**

**9.—**(1) If the CMA does not take a decision in accordance with regulation 8, the notified measure is deemed to be approved by the CMA.

(2) However, the aid grantor must not implement the measure unless—

- (a) the aid grantor notifies the CMA that it intends to implement the measure; and
- (b) the CMA does not take a decision referred to in paragraph (3) within a period of 15 working days starting with the first working day after the day on which the aid grantor notifies the CMA under sub-paragraph (a).

(3) If the aid grantor notifies the CMA under paragraph (2)(a), the CMA may take a decision under regulation 8(1) in respect of the measure.

(4) If the CMA takes a decision referred to in paragraph (3) within the period referred to in paragraph (2)(b), the decision applies as if the notified measure had not been deemed to be approved under paragraph (1).