



Subsidy Control Act 2022

2022 CHAPTER 23

PART 5

ENFORCEMENT

Appeals to the Competition Appeal Tribunal

74 Recovery orders

- (1) The Tribunal may make a recovery order if—
 - (a) in exercise of its powers under section 72 or 73, it grants relief in respect of a decision of a public authority to give a subsidy or make a subsidy scheme, and
 - (b) in granting that relief the Tribunal finds that the decision did not comply with a requirement of Chapter 1 or 2 of Part 2.
- (2) A recovery order is an order that—
 - (a) confers a right on a public authority that has given a subsidy to recover the amount of that subsidy from the beneficiary, and
 - (b) requires the public authority to exercise that right in accordance with the order.
- (3) A recovery order may—
 - (a) provide for how the right to recover a subsidy under the order is to be exercised;
 - (b) require that the right is exercised by such time as the order may specify;
 - (c) relate to the whole of a subsidy or to such part as the order may provide;
 - (d) where made in relation to subsidies given under a subsidy scheme, relate to all such subsidies or only to those subsidies specified in the order;
 - (e) require the payment of interest in accordance with the order.
- (4) A recovery order is enforceable as though it were an order made by the High Court or, in relation to Scotland, the Court of Session.

Changes to legislation: There are currently no known outstanding effects for the Subsidy Control Act 2022, Section 74. (See end of Document for details)

Commencement Information

- I1** S. 74 not in force at Royal Assent, see [s. 91\(2\)](#)
- I2** [S. 74](#) in force at 4.1.2023 by [S.I. 2022/1359](#), [reg. 2](#)

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