



STATUTORY INSTRUMENTS.

S.I. No. 497 of 2022



EUROPEAN COMMUNITIES (RECOVERY OF AMOUNTS)
(AMENDMENT) REGULATIONS 2022

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I, Charlie McConalogue, Minister for Agriculture, Food and the Marine, in exercise of the powers conferred on me by section 3 of the European Communities Act, 1972 (No. 27 of 1972), and for the purposes of giving further effect to Commission Regulation (EEC) No. 2220/85 of 22 July 1985, Commission Implementing Regulation (EU) No 809/2014 of 17 July 2014, Commission Regulation (EEC) No 3403/93 of 10 December 1993, Commission Implementing Regulation (EU) No 282/2012 of 28 March 2012, Commission Regulation (EEC) No 3002/92 of 16 October 1992, Commission Delegated Regulation (EU) No 907/2014 of 11 March 2014, Commission Regulation (EC) No 770/96 of 26 April 1996, Commission Regulation (EC) No 1130/2009 of 24 November 2009, Commission Regulation 800/1999 of 15 April 1999, Commission Regulation (EC) No 2419/2001 of 11 December 2001, Commission Regulation (EC) No 796/2004 of 21 April 2004, Commission Regulation (EC) No 1122/2009 of 30 November 2009, Commission Implementing Regulation (EU) No 908/2014 of 6 August 2014, Commission Regulation (EC) No 1550/2007 of 20 December 2007, Commission Regulation (EC) No 380/2009 of 8 May 2009, COMMISSION REGULATION (EC) No 1932/1999 of 9 September 1999, and Commission Implementing Regulation (EU) 2022/128 of 21 December 2021 hereby make the following regulations:

1. These Regulations may be cited as the European Communities (Recovery of Amounts) (Amendment) Regulations 2022 and come into operation on 30 September 2022.

2. The European Communities (Recovery of Amounts) Regulations 2003 (S.I. No. 463 of 2003) are amended—

(a) by substituting for Regulation 3 (as amended by Regulation 2 of the European Communities (Recovery of Amounts) (Amendment) Regulations 2006 (S.I. No. 13 of 2006)) the following—

“3. The Minister shall charge interest at a rate of 3 per cent per year for the purposes of -

- (a) Article 29 (3) of Commission Regulation (EEC) No. 2220/85 of 22 July 1985 as amended by Commission Regulation (EC) No. 3403/93 of 10 December 1993;
- (b) Article 28(3) of Commission Implementing Regulation (EU) No 282/2012 of 28 March 2012;
- (c) Article 5a(3) of Commission Regulation (EEC) No 3002/92 of 16 October 1992 as inserted by Article 1 of Commission Regulation (EC) No 770/96 of 26 April 1996;

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 7th October, 2022.*

- (d) Article 6(3) of Commission Regulation (EC) No 1130/2009;
- (e) Article 52 (1) of Commission Regulation 800/1999 of 15 April 1999;
- (f) Article 49(1) of Commission Regulation (EC) No 612/2009 of 7 July 2009;
- (g) Article 49 (3) of Commission Regulation (EC) No 2419/2001 of 11 December 2001;
- (h) Article 73(3) of Commission Regulation (EC) No 796/2004 of 21 April 2004;
- (i) Article 80(2) of Commission Regulation (EC) No 1122/2009 of 30 November 2009;
- (j) Article 27(2) and 55(2) of Commission Implementing Regulation (EU) No 908/2014 of 6 August 2014, [OJ L 255, 28.8.2014, p. 59–124;
- (k) Articles 30(2), and 56(2)(c) of Commission Implementing Regulation (EU) 2022/128 of 21 December 2021;
- (l) Article 7(2) of Commission Implementing Regulation (EU) No 809/2014 of 17 July 2014.”

and

- (b) in Regulation 4 (as amended by Regulation 2 of the European Communities (Recovery of Amounts) (Amendment) Regulations 2006) by substituting for subparagraphs (a) to (e) the following:
 - “(a) Article 29(2) of Commission Regulation (EEC) No 2220/85 of 22 July 1985 as amended by Commission Regulation (EC) No 3403/93 of 10 December 1993 and COMMISSION REGULATION (EC) No 1932/1999 of 9 September 1999;
 - (b) Article 28(2) of Commission Implementing Regulation (EU) No 282/2012 of 28 March 2012;
 - (c) Article 5a(4) of Commission Regulation (EEC) No 3002/92 of 16 October 1992 as inserted by Article 1 of Commission Regulation (EC) No 770/96 of 26 April 1996;
 - (d) Article 6(4) of Commission Regulation (EC) No 1130/2009 of 24 November 2009;
 - (e) Article 52 (3) of Commission Regulation 800/1999 of 15 April 1999;
 - (f) Article 49(3) of Commission Regulation (EC) No 612/2009 of 7 July 2009;
 - (g) Article 49 (8) of Commission Regulation (EC) No 2419/2001 of 11 December 2001;

- (h) Article 73a(2b) of Commission Regulation (EC) No 796/2004 of 21 April 2004 as amended by Commission Regulation (EC) No 1550/2007 of 20 December 2007 and Commission Regulation (EC) No 380/2009 of 8 May 2009;
- (i) Article 81(4) of Commission Regulation (EC) No 1122/2009 of 30 November 2009.”

3. the European Communities (Recovery of Amounts) (Amendment) Regulations 2006 (S.I. No. 13 of 2006) are revoked.



GIVEN under my Official Seal,
30 September 2022.

CHARLIE MCCONALOGUE,
Minister for Agriculture, Food and the Marine.

EXPLANATORY NOTE

(This note is not part of the instrument and does not purport to be a legal interpretation)

This Statutory Instrument amends the European Communities (Recovery of amounts) Regulations, No. 463 of 2003 and revokes the European Communities (Recovery of Amounts) (Amendment) Regulations 2006 (S.I. No. 13 of 2006). It retains the 3% per annum interest rate (as provided for by the European Communities (Recovery of Amounts) (Amendment) Regulations 2006 (S.I. No. 13 of 2006)) applicable to the recovery of amounts pursuant to the EU Commission Regulations specified therein and extends the scope of the Regulations to direct payments to farmers under support schemes within the framework of the common agricultural policy.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN,
CILL MHAIGHNEANN,
BAILE ÁTHA CLIATH 8,
D08 XAO6

Tel: 046 942 3100
r-phost: publications@opw.ie

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