

Commission Implementing Regulation (EU) No 180/2014 of 20 February 2014 laying down rules for the application of Regulation (EU) No 228/2013 of the European Parliament and of the Council laying down specific measures for agriculture in the outermost regions of the Union

CHAPTER II

MEASURES TO SUPPORT LOCAL AGRICULTURAL PRODUCTS

SECTION 3

Reductions and exclusions, and undue payments

Article 26

Reductions and exclusions

In the event of a discrepancy between the information declared in the context of aid applications and the findings of the checks provided for in Section 2, the Member State concerned shall apply reductions and exclusions to the aid. Those reductions and exclusions shall be effective and proportionate and shall act as a deterrent.

Article 27

Exceptions to the application of reductions and exclusions

1 The reductions and exclusions provided for in Article 26 shall not apply where the aid applicant submitted factually correct information or can otherwise show that he or she is not at fault.

2 The reductions and exclusions shall not apply with regard to those parts of the aid application which the aid applicant informs the competent authority in writing are incorrect or have become incorrect since it was lodged, provided that the competent authority has not already informed the aid applicant of its intention to carry out an on-the-spot check or of any irregularity in the application.

On the basis of the information given by the aid applicant as referred to in the first subparagraph, the aid application shall be rectified to reflect the actual situation.

[^{F1}Article 28

Recovery of undue payments and penalties

1 In the event of undue payment, Article 7 of Commission Implementing Regulation (EU) No 809/2014⁽¹⁾ shall apply *mutatis mutandis*.

2 Where the undue payment has been made as a result of a false declaration, false documents or serious negligence on the part of the aid applicant, a penalty shall be imposed

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 180/2014, SECTION 3. (See end of Document for details)

equal to the amount unduly paid, with interest calculated in accordance with Article 7(2) of Implementing Regulation (EU) No 809/2014.

Textual Amendments

- F1** Substituted by [Commission Implementing Regulation \(EU\) 2018/920 of 28 June 2018 amending Implementing Regulation \(EU\) No 180/2014 as regards certain provisions on checks, notifications and annual reporting and on amendments to the POSEI programmes.](#)

Article 29

Force majeure and exceptional circumstances

In cases of *force majeure* or exceptional circumstances within the meaning of Article 2(2) of Regulation (EU) No 1306/2013, Article 4 of Commission Delegated Regulation (EU) No 640/2014⁽²⁾ shall apply *mutatis mutandis*.]

Textual Amendments

- F1** Substituted by [Commission Implementing Regulation \(EU\) 2018/920 of 28 June 2018 amending Implementing Regulation \(EU\) No 180/2014 as regards certain provisions on checks, notifications and annual reporting and on amendments to the POSEI programmes.](#)

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 180/2014, SECTION 3. (See end of Document for details)

- (1) [^{F1}Commission Implementing Regulation (EU) No 809/2014 of 17 July 2014 laying down rules for the application of Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to the integrated administration and control system, rural development measures and cross compliance (OJ L 227, 31.7.2014, p. 69).]
- (2) [^{F1}Commission Delegated Regulation (EU) No 640/2014 of 11 March 2014 supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to the integrated administration and control system and conditions for refusal or withdrawal of payments and administrative penalties applicable to direct payments, rural development support and cross compliance (OJ L 181, 20.6.2014, p. 48).]

Textual Amendments

- F1** Substituted by [Commission Implementing Regulation \(EU\) 2018/920 of 28 June 2018 amending Implementing Regulation \(EU\) No 180/2014 as regards certain provisions on checks, notifications and annual reporting and on amendments to the POSEI programmes.](#)

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There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 180/2014, SECTION 3.