

Commission Implementing Regulation (EU) 2016/1240 of 18 May 2016  
laying down rules for the application of Regulation (EU) No 1308/2013  
of the European Parliament and of the Council with regard to public  
intervention and aid for private storage (Text with EEA relevance)

TITLE IV

**CHECKS AND PENALTIES**

*CHAPTER II*

*Penalties and administrative measures*

*Article 62*

**Penalties and administrative measures in relation to aid for private storage**

1 Where the paying agency finds that a document presented by an operator, which is required under Delegated Regulation (EU) 2016/1238, this Regulation [<sup>F1</sup>, or a published tendering procedure or the Regulations] referred to in Article 1(2)(b) of this Regulation, provides incorrect information, and where the incorrect information concerned is decisive for the granting of aid for private storage, the paying agency shall exclude the operator from the procedure of granting aid for the product for which the incorrect information has been given for a period of one year from the date of adoption of a final administrative decision establishing the irregularity.

2 The exclusion provided for in paragraph 1 shall not apply if the operator proves, to the satisfaction of the paying agency, that the situation referred to in that paragraph is due to force majeure or obvious error.

3 Unduly paid aid shall be recovered, with interest, from the operators concerned. The rules laid down in Article 27 of Implementing Regulation (EU) No 908/2014 shall apply mutatis mutandis.

<sup>F2</sup>4 .....

**Textual Amendments**

**F1** Words in Art. 62(1) substituted (31.12.2020) by [The Market Measures Payment Schemes \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/823\)](#), regs. 1, **6(38)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

**F2** Art. 62(4) omitted (31.12.2020) by virtue of [The Market Measures Payment Schemes \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/823\)](#), regs. 1, **6(38)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:**

There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2016/1240, Article 62.