

SCHEDULE 3

Decisions taken in accordance with paragraph 3 of Article 5 of Regulation (EC) No. 1370/2007

PART 3

Applications to the Court

Remedies where the contract has not been entered into

23.—(1) This paragraph applies where the Court is satisfied that a decision taken by the Department infringed European Union law and the contract has not yet been entered into.

(2) In those circumstances the Court may do one or more of the following –

- (a) order the setting aside of the decision concerned;
- (b) order the Department to amend any document;
- (c) award damages to a person who has suffered loss and damage as a result of the infringement.

(3) This paragraph does not prejudice any other powers of the Court.