



# Medicines and Medical Devices Act 2021

## 2021 CHAPTER 3

### PART 4

#### MEDICAL DEVICES

### CHAPTER 3

#### ENFORCEMENT

#### *Recovery of expenses of enforcement*

### **34 Recovery of expenses of enforcement**

- (1) This section applies where a court—
- (a) convicts a person of an <sup>F1</sup>offence under—
    - (i) section 28,
    - (ii) regulation 60A of the Medical Devices Regulations 2002 ([S.I. 2002/618](#)) (offence of breaching certain provisions in the Regulations), or
    - (iii) regulation 23 of the Medical Devices (Northern Ireland Protocol) Regulations 2021 (offence of breaching certain provisions),in relation to a medical device, or
  - (b) makes a forfeiture order under section 32 or 33(5) in relation to a medical device.
- (2) The court may (in addition to any other order it may make as to costs or expenses) order the person convicted or, as the case may be, a person from whom a device is seized or to whom it belongs to reimburse an enforcement authority for any expenditure which the authority has incurred or may incur—
- (a) in connection with any seizure or detention of the device by or on behalf of the authority, or

---

*Changes to legislation: There are currently no known outstanding effects for the Medicines and Medical Devices Act 2021, Section 34. (See end of Document for details)*

---

(b) in connection with giving effect to the forfeiture order.

**Textual Amendments**

**F1** Words in s. 34(1)(a) substituted (27.7.2021) by [The Medical Devices \(Northern Ireland Protocol\) Regulations 2021 \(S.I. 2021/905\)](#), regs. 1(2), **28(4)**

**Commencement Information**

**I1** S. 34 in force at 26.5.2021 by [S.I. 2021/610](#), reg. **2(a)**

**Changes to legislation:**

There are currently no known outstanding effects for the Medicines and Medical Devices Act 2021, Section 34.