
STATUTORY INSTRUMENTS

2005 No. 281

The Electromagnetic Compatibility Regulations 2005

PART VII

ENFORCEMENT

Powers of the court

Recovery of expenses of enforcement

99.—(1) This regulation applies where a court—

- (a) convicts a person of an offence under regulation 85, 86 or 88 above; or
- (b) makes an order under regulation 97 or 98 above for the forfeiture of any apparatus.

(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, any person having an interest in the apparatus the subject of the order for forfeiture, to reimburse an enforcement authority for any expenditure which has been or may be incurred by that authority—

- (a) in investigating the offence, and, without prejudice to the generality of the foregoing, in having the apparatus tested;
- (b) in connection with any seizure or detention of the apparatus by or on behalf of the authority; or
- (c) in connection with any compliance by that authority with directions given by the court for the purposes of any order for the forfeiture of the apparatus.