



# Consumer Protection Act 1987

## 1987 CHAPTER 43

### PART IV

#### ENFORCEMENT OF PARTS II AND III

#### **35 Recovery of expenses of enforcement.**

- (1) This section shall apply where a court—
- (a) convicts a person of an offence in respect of a contravention in relation to any goods of any safety provision<sup>F1</sup> . . . ; or
  - (b) makes an order under section 16 or 17 above for the forfeiture of any goods.
- (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 goods to reimburse an enforcement authority for any expenditure which has been or may be incurred by that authority—
- (a) in connection with any seizure or detention of the goods by or on behalf of the authority; or
  - (b) in connection with any compliance by the authority with directions given by the court for the purposes of any order for the forfeiture of the goods.

#### **Textual Amendments**

- F1** Words in s. 35(1)(a) repealed (26.5.2008) by The Consumer Protection from [Unfair Trading Regulations 2008](#) (S.I. 2008/1277), reg. 30(3), [Sch. 4 Pt. 1](#) (with reg. 28(2)(3), Sch. 3 para. 6)

#### **Modifications etc. (not altering text)**

- C1** [S. 35](#) applied (with modifications) (1.1.1993) by [S.I. 1992/3073](#), reg. 28, [Sch. 6 para. 3\(c\)](#)  
[S. 35](#) applied (with modifications) (1.7.1997) by [S.I. 1997/831](#), reg. 19(1)-(4), [Sch. 15 para. 2\(b\)](#)  
(with [Sch. 15 para. 7](#))  
[Ss. 28-35](#) applied (with modifications) (31.5.1998) by [S.I. 1998/1165](#), [reg. 13\(2\)\(a\)](#) (which said S.I. was revoked (25.8.2003) by [S.I. 2003/1941](#), [reg. 1\(2\)](#))  
[Ss. 28-35](#) applied (with modifications) (26.4.1999) by [S.I. 1999/1053](#), [reg. 16\(3\)\(a\)](#)

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*Changes to legislation: There are currently no known outstanding effects for the Consumer Protection Act 1987, Section 35. (See end of Document for details)*

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- Ss. 28-35 applied (with modifications) (29.11.1999) by S.I. 1999/2001, reg. 24, **Sch. 8 para. 2(c)**  
 Ss. 28-35 applied (with modifications) (8.4.2000) by S.I. 2000/730, reg. 18(1), **Sch. 9 para. 1(2)**  
 Ss. 28-35 applied (with modifications) (15.5.2002) by S.I. 2002/1144, regs. 2(2), 16(1)-(3), Sch. 10 paras. 1, 3  
 Ss. 28-35 applied (with modifications) (25.8.2003) by S.I. 2003/1941, reg. 8, **Sch. IV para. 2(a)**
- C2** S. 35 applied (in part) (E.W.S) (28.11.2003 for certain purposes, 15.7.2004 for certain further purposes and otherwise prosp.) by **Fireworks Act 2003 (c. 22)**, **ss. 12(2)(f)**, 18 (with s. 2(8)); S.I. 2003/3084, **art. 2**, Sch.; S.I. 2004/1831, **art. 2**, Sch.
- C3** S. 35 applied (with modifications) (17.8.2015) by **The Pyrotechnic Articles (Safety) Regulations 2015 (S.I. 2015/1553)**, reg. 1, **Sch. 7 paras. 1(l), 2**
- C4** S. 35 applied (with modifications) (8.12.2016) by **The Lifts Regulations 2016 (S.I. 2016/1093)**, reg. 1, **Sch. 7 paras. 1(k), 2** (with regs. 3-5)
- C5** S. 35 applied (with modifications) (8.12.2016) by **The Pressure Equipment (Safety) Regulations 2016 (S.I. 2016/1105)**, reg. 1, **Sch. 7 paras. 1(l), 2** (with reg. 88)
- C6** S. 35 applied (with modifications) (8.12.2016) by **The Electromagnetic Compatibility Regulations 2016 (S.I. 2016/1091)**, reg. 1, **Sch. 7 paras. 1, 2** (with regs. 74, 75(5))
- C7** S. 35 applied (with modifications) (8.12.2016) by **The Simple Pressure Vessels (Safety) Regulations 2016 (S.I. 2016/1092)**, reg. 1, **Sch. 5 paras. 1(l), 2** (with reg. 3)
- C8** S. 35 applied (with modifications) (8.12.2016) by **The Electrical Equipment (Safety) Regulations 2016 (S.I. 2016/1101)**, reg. 1, **Sch. 3 paras. 1, 2** (with reg. 3)
- C9** S. 35 applied (with modifications) (3.8.2017) by **The Recreational Craft Regulations 2017 (S.I. 2017/737)**, reg. 1, **Sch. 13 paras. 1(l), 2** (with reg. 89)
- C10** S. 35 applied (with modifications) (26.12.2017) by **The Radio Equipment Regulations 2017 (S.I. 2017/1206)**, reg. 1, **Sch. 10 paras. 1, 2** (with regs. 3-5, 77)
- C11** S. 35 applied (with modifications) (21.4.2018) by **The Personal Protective Equipment (Enforcement) Regulations 2018 (S.I. 2018/390)**, reg. 1(1), **Sch. 1** (with reg. 2(1)-(3))
- C12** S. 35 applied (with modifications) (21.4.2018) by **The Gas Appliances (Enforcement) and Miscellaneous Amendments Regulations 2018 (S.I. 2018/389)**, reg. 1(1), **Sch. 1** (with reg. 2)
- C13** S. 35 applied (N.I.) (16.7.2021) by **The Market Surveillance (Northern Ireland) Regulations 2021 (S.I. 2021/858)**, reg. 1(1), **Sch. 2 para. 1** (with reg. 3)

**Changes to legislation:**

There are currently no known outstanding effects for the Consumer Protection Act 1987, Section 35.