



Medicines and Medical Devices Act 2021

2021 CHAPTER 3

PART 4

MEDICAL DEVICES

CHAPTER 3

ENFORCEMENT

Forfeiture

33 Appeals against forfeiture decisions

- (1) A person claiming to be entitled to a medical device which is subject to a forfeiture order may appeal against the decision to make the order.
- (2) The enforcement authority may appeal against a decision of the appropriate lower court to refuse an application for a forfeiture order.
- (3) An appeal under this section is to the appropriate appeals court (see section 42).
- (4) An appeal under this section must be made before the end of the period of 28 days beginning with the day on which—
 - (a) the forfeiture order is made, or
 - (b) the application for a forfeiture order is refused.
- (5) Subject to subsection (6), the court hearing the appeal may make any order the court thinks appropriate.
- (6) If an appeal against a decision to make a forfeiture order is allowed, the court must, if the device to which the order relates has already been forfeited, order it to be returned to a person entitled to it.
- (7) In this section, persons “entitled to a device” are—

Changes to legislation: There are currently no known outstanding effects for the Medicines and Medical Devices Act 2021, Section 33. (See end of Document for details)

- (a) if the device has not been seized by the enforcement authority, the person in possession of the device,
- (b) if the device has been seized, the person from whom it was seized, or
- (c) if different, any person to whom it belongs.

Commencement Information

II S. 33 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 33.