



# Nuclear Safeguards Act 2000

## 2000 CHAPTER 5

### **2 Information and records for purposes of the Additional Protocol**

- (1) No obligation as to secrecy or other restriction on disclosure (whether imposed by statute or otherwise) prevents a person voluntarily giving information to the Secretary of State if that person has reasonable cause to believe that it is Additional Protocol information.
- (2) The Secretary of State may serve a notice on any person requiring him to give the Secretary of State information, or information of a description, specified in the notice—
  - (a) within a period or at times specified in the notice; and
  - (b) if the notice so provides, in such form as the notice may require.
- (3) The information required by a notice—
  - (a) must be information which the Secretary of State has reasonable cause to believe is Additional Protocol information; and
  - (b) may relate to a state of affairs subsisting before the coming into force of this Act or of the Additional Protocol.
- (4) A notice shall not require a person to give information which is required only for the purposes of sub-paragraph (ii) of Article 2.a. unless the notice sets out the terms, agreed by the United Kingdom, in which the Agency has identified information for the purposes of that sub-paragraph.
- (5) A person who refuses or fails without reasonable excuse to comply with a notice is guilty of an offence.
- (6) The duty to comply with a notice is not affected by any obligation or restriction mentioned in subsection (1).
- (7) A person on whom a notice is served shall keep and retain such records of information in his possession (and retain any existing records) as may be necessary to enable him to comply with the notice; and a failure to do so shall be taken into account in proceedings for an offence under subsection (5) in determining whether a reasonable excuse exists for a refusal or failure to comply with the notice.

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*Status: This is the original version (as it was originally enacted).*

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(8) In this section “notice” means a notice served under subsection (2).