



United Kingdom Internal Market Act 2020

2020 CHAPTER 27

PART 4

INDEPENDENT ADVICE ON AND MONITORING OF UK INTERNAL MARKET

Information-gathering powers

41 Information-gathering powers

- (1) The powers under this section may be exercised for the purpose of assisting the CMA in carrying out any of its functions under—
 - (a) section 33, 34, 35 or 36; or
 - (b) section 5 of the Enterprise Act 2002 (acquisition of information etc) in connection with a matter in relation to which the CMA proposes to undertake a review, prepare a report, or give advice under any of the sections mentioned in paragraph (a).
- (2) The CMA may by notice in writing require a person to produce any document which—
 - (a) is specified or otherwise identified in the notice; and
 - (b) is in that person's custody or under that person's control.
- (3) The CMA may by notice in writing require any person who carries on a business to provide such estimates, forecasts, returns or other information as may be specified or otherwise described in the notice.
- (4) A notice under subsection (2) or (3) may specify—
 - (a) the time and place at which,
 - (b) the form and manner in which, and
 - (c) the person to whom,a document or information is to be produced or provided.
- (5) A notice under subsection (2) or (3) may require the provision of a legible and intelligible copy of information which is recorded otherwise than in legible form.

Changes to legislation: There are currently no known outstanding effects for the United Kingdom Internal Market Act 2020, Section 41. (See end of Document for details)

- (6) A notice under subsection (2) or (3) must—
- (a) state the purpose for which the notice is given, including which of the functions mentioned in subsection (1) is relevant; and
 - (b) include information about the potential consequences of not complying with the notice.
- (7) The person to whom any document is produced in accordance with a notice under subsection (2) or (3) may copy the document.
- (8) A notice under subsection (2) or (3) may not require a person—
- (a) to produce or provide any document or information which the person could not be compelled to produce, or give in evidence, in civil proceedings before the court; or
 - (b) to go more than 10 miles from the person's place of residence, unless the person's necessary travelling expenses are paid or offered to them.
- (9) In this section “the court” means—
- (a) in relation to England and Wales or Northern Ireland, the High Court; and
 - (b) in relation to Scotland, the Court of Session.
- (10) In Schedule 14 to the Enterprise Act 2002 (disclosure of information: specified functions) at the appropriate place insert— “ Part 4 of the United Kingdom Internal Market Act 2020. ”.

Modifications etc. (not altering text)

- C1** Ss. 41-43: power to modify conferred (28.4.2022) by [Subsidy Control Act 2022 \(c. 23\)](#), **ss. 67(3), 91(1)(b)**
- C2** S. 41 applied (with modifications) (4.1.2023) by [The Subsidy Control \(Information-Gathering Powers\) \(Modification\) Regulations 2022 \(S.I. 2022/1152\)](#), regs. 1(1), **2(a)**
- C3** Ss. 41-43 applied (with modifications) (4.1.2023) by [Subsidy Control Act 2022 \(c. 23\)](#), **ss. 67(1)(2), 91(2)**; [S.I. 2022/1359](#), **reg. 2**

Commencement Information

- I1** S. 41 in force at 14.6.2021 by [S.I. 2021/706](#), **reg. 2**

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