



# National Security and Investment Act 2021

## 2021 CHAPTER 25

### PART 1

#### CALL-IN FOR NATIONAL SECURITY

#### CHAPTER 4

#### PROCEDURE

#### *Information, etc*

#### **19 Power to require information**

- (1) The Secretary of State may give a notice to a person (subject to section 21) to require the person to provide any information in relation to the exercise of the Secretary of State's functions under this Act which—
  - (a) is specified or described in the notice, or falls within a category of information specified or described in the notice, and
  - (b) is within that person's possession or power.
- (2) The Secretary of State is not to require the provision of information under this section except where the requirement to provide information is proportionate to the use to which the information is to be put in the carrying out of the Secretary of State's functions under this Act.
- (3) A notice under subsection (1) is referred to in this Act as an information notice.
- (4) An information notice may—
  - (a) specify the manner in which the information is to be provided,
  - (b) specify a time limit for—

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*Status: This is the original version (as it was originally enacted).*

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- (i) providing the information,
    - (ii) notifying the Secretary of State that the information is not in the person's possession or power, or
  - (c) require the person to provide any information within their possession or power which would enable the Secretary of State to find the information required by the notice.
- (5) An information notice must—
- (a) specify the purpose for which the notice is given, and
  - (b) state the possible consequences of not complying with the notice.
- (6) A person is not required under this section to provide any information which that person could not be compelled to provide in evidence in civil proceedings before the court.
- (7) A reference in this section to the provision of information includes a reference to the provision of a legible and intelligible copy of information recorded otherwise than in legible form.
- (8) A person to whom information is provided under this section may copy the information.
- (9) In this section “the court” means—
- (a) in relation to England and Wales or Northern Ireland, the High Court,
  - (b) in relation to Scotland, the Court of Session, and
  - (c) in relation to a person outside the United Kingdom, the High Court of England and Wales.