



# Automated Vehicles Act 2024

## 2024 CHAPTER 10

### PART 1

#### REGULATORY SCHEME FOR AUTOMATED VEHICLES

### CHAPTER 3

#### PROVISION OF INFORMATION BY REGULATED BODIES

##### *Requirements imposed by notice*

#### **16 Purpose for which notices may be given**

- (1) In this Part, “the investigative purposes”, in relation to a regulated body, are the domestic purposes and the international purpose set out in this section.
- (2) The domestic purposes are the purposes of—
  - (a) assessing whether a regulatory requirement is being, or has been, met—
    - (i) by the regulated body, or
    - (ii) in relation to authorised automated vehicles for which the regulated body is or has been responsible,
  - (b) investigating whether, how or why an authorised automated vehicle has committed a traffic infraction while the regulated body was responsible for it,
  - (c) assessing whether an authorised automated vehicle for which the regulated body is or has been responsible continues to satisfy the self-driving test by reference to the authorised locations and circumstances, and
  - (d) investigating—
    - (i) a suspected offence under section 24 by the regulated body, or another regulated body that is or has been responsible for a vehicle for which the regulated body is or has been responsible, or

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- (ii) a suspected offence under section 25, or a suspected offence arising by virtue of section 26 or 27, that is predicated on an offence within sub-paragraph (i).
- (3) The international purpose is the purpose of sharing information with an authority in a country or territory outside Great Britain (an “overseas authority”), where—
  - (a) the overseas authority has requested the information,
  - (b) the overseas authority has functions under the law of that country or territory that are similar to those referred to in subsection (2), and
  - (c) the information is likely to assist the overseas authority in performing those functions in respect of the regulated body.

## 17 Power to issue information notice

- (1) The Secretary of State may issue an information notice to a regulated body if the Secretary of State considers it appropriate to do so for any of the investigative purposes.
- (2) An information notice is a notice requiring the regulated body to provide information to the Secretary of State.
- (3) An information notice must specify—
  - (a) the information that must be provided,
  - (b) the form and manner in which it must be provided, and
  - (c) when (or by when) it must be provided.
- (4) In specifying the form and manner in which information must be provided, an information notice may, in particular—
  - (a) require documents, or copies of documents, to be produced;
  - (b) require the information to be provided in a form different from that in which it currently exists;
  - (c) require the regulated body to procure the attendance of an individual at a particular place and at a particular time in order to provide the information.
- (5) An information notice must explain the consequences of the notice under section 19(5) (if applicable) and section 20.

## 18 Power to issue interview notice

- (1) The Secretary of State may issue an interview notice to a regulated body if the Secretary of State considers it appropriate to do so for any of the investigative purposes.
- (2) An interview notice is a notice requiring the regulated body to procure the attendance of an individual at a particular place and at a particular time in order to answer questions.
- (3) An interview notice must indicate in general terms the intended subject-matter of the questioning.
- (4) An interview notice must explain the consequences of the notice under sections 19(5) and 20.

## **19 Notices requiring individual attendance**

- (1) This section applies in relation to—
  - (a) an information notice so far as it includes a requirement of the sort described in section 17(4)(c), and
  - (b) an interview notice.
- (2) The notice may—
  - (a) identify a particular individual, or
  - (b) describe a class of individuals.
- (3) The individual, or the individuals within that class, must be carrying out, or have carried out, paid work for the regulated body (in whatever capacity).
- (4) But that individual or those individuals need not have any further connection with the United Kingdom.
- (5) The regulated body complies with the notice if it takes all steps that it could reasonably be expected to take in order to—
  - (a) procure the attendance of the identified individual, or an individual within the described class, at the place and time specified in the notice, and
  - (b) enable that individual to provide the information specified, or answer questions on the subject-matter indicated, in the notice.
- (6) The references in sections 17(4)(c) and 18(2) to attendance at a particular place include attendance at a particular meeting held remotely by electronic means (and section 20(3)(c)(i) and (4)(c)(i) is to be read accordingly).

## **20 Offences of non-compliance**

- (1) A regulated body commits an offence if it—
  - (a) fails to provide information as required by an information notice,
  - (b) provides, in purported compliance with an information notice, information that is false or misleading in a material respect, or
  - (c) fails to comply with an information notice or interview notice as described in section 19(5).
- (2) It is a defence for the regulated body to prove that it took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
- (3) A person commits an offence if—
  - (a) the person is an individual identified in an information notice as described in section 19(2)(a),
  - (b) the person has been made aware of the contents of the notice, and
  - (c) the person—
    - (i) fails, without reasonable excuse, to attend at the place and time specified in the notice or provide information as required by the notice, or
    - (ii) provides, in purported compliance with the notice, information that is false or misleading in a material respect, knowing it to be so or being reckless as to whether it is.
- (4) A person commits an offence if—

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- (a) the person is an individual identified in an interview notice as described in section 19(2)(a),
  - (b) the person has been made aware of the notice, and
  - (c) the person—
    - (i) fails, without reasonable excuse, to attend at the place and time specified in the notice,
    - (ii) on being interviewed further to the notice, fails, without reasonable excuse, to answer a question, or
    - (iii) on being interviewed further to the notice, answers a question in a way that is false or misleading in a material particular, knowing it to be so or being reckless as to whether it is.
- (5) A person commits an offence if—
- (a) the person destroys, suppresses or alters, or causes or permits the destruction, suppression or alteration of, any information, and
  - (b) the person does so with the intention of preventing the provision of accurate information in response to an information notice, or at an interview undertaken further to an interview notice.
- (6) In subsection (5)—
- (a) the reference to information required to be provided by an information notice includes anything in or on which that information is recorded;
  - (b) the references to suppressing information include destroying the means of reproducing information recorded otherwise than in a legible form.
- (7) A person who commits an offence under this section is liable—
- (a) on summary conviction in England or Wales, to imprisonment for a term not exceeding the general limit in a magistrates' court or a fine (or both);
  - (b) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);
  - (c) on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine (or both).

## **21 Enforcement by court**

The High Court or the Court of Session may, on application by the Secretary of State, make such order as the court thinks fit in order to secure compliance with an information notice or interview notice by the person to whom it is issued.

## **22 Use of information obtained**

- (1) Subsections (2) to (4) apply to information obtained as a result of the exercise of a power in section 17 or 18.
- (2) The Secretary of State may use the information for any of the investigative purposes in relation to any regulated body, irrespective of the purpose for which it was initially obtained.
- (3) If the information is shared with an overseas authority, it must be shared on terms designed to prevent the overseas authority from—
  - (a) using the information for a purpose other than the purpose for which it was disclosed, or

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- (b) further sharing the information,  
without the Secretary of State’s consent.
- (4) The Secretary of State may also use the information for the purposes of the arrangements put in place under section 38 (monitoring and assessing the general performance of automated vehicles).
- (5) Subsection (6) applies to a statement made by a person in response to a notice under section 17 or 18.
- (6) In any criminal proceedings against the person who made the statement, no evidence relating to the statement may be adduced, and no question relating to it may be asked, by or on behalf of the prosecution.
- (7) Subsection (6) does not apply—
  - (a) if the proceedings are for—
    - (i) an offence under section 20, 24, 25 or 30,
    - (ii) an offence under section 5 of the Perjury Act 1911 (false statutory declarations and other false statements without oath),
    - (iii) an offence under section 44(2) of the Criminal Law (Consolidation) (Scotland) Act 1995 (false statements and declarations), or
  - (b) in any other proceedings, if evidence relating to the information is adduced, or a question relating to the information is asked, by or on behalf of the person who provided it.
- (8) In this section, “overseas authority” has the meaning indicated by section 16(3).

## **23 Supplementary provision**

- (1) Where the Secretary of State has issued an information notice or an interview notice to a regulated body, the Secretary of State may by further notice issued to that body—
  - (a) cancel the notice, or
  - (b) vary it in any way that does not make it more onerous.
- (2) For the purposes of the sections from section 16 to this section, a person who has ceased to be a regulated body is to be treated, in relation to anything that occurred when the person was a regulated body, as if the person were still a regulated body.