

SCHEDULES

SCHEDULE 31

TRANSFER SCHEMES: FURTHER PROVISION

Provision of information to person making scheme

- 15 (1) Where the Secretary of State proposes to make a transfer scheme, the Secretary of State may direct—
- (a) a proposed transferor,
 - (b) a proposed transferee, or
 - (c) High Speed Two (HS2) Limited,
- to provide the Secretary of State with such information as the Secretary of State considers necessary to enable the scheme to be made.
- (2) A direction under sub-paragraph (1) must specify the period (of not less than 28 days beginning with the day when the direction is given) within which the information is to be provided.
- (3) If a person fails to comply with the direction, the Secretary of State may give the person a notice requiring the person—
- (a) to produce to the Secretary of State, at a time and place specified in the notice, any documents which are specified or described in the notice and are in the person's custody or control, or
 - (b) to provide to the Secretary of State, at a time and place and in the form and manner specified in the notice, such information as may be specified or described in the notice.
- (4) No person may be required under sub-paragraph (3)—
- (a) to produce a document which the person could not be compelled to produce in civil proceedings in the High Court, or
 - (b) to provide information which the person could not be compelled to give in evidence in such proceedings.
- (5) If a person fails to comply with a notice under sub-paragraph (3), the High Court may, on the application of the Secretary of State, make such order as the court thinks fit for requiring the failure to be made good.
- (6) Any order under sub-paragraph (5) may include provision requiring all the costs and expenses of and incidental to the application to be borne by one or more of—
- (a) the person in default, and
 - (b) any officers of a body corporate or other association who are responsible for its default.
- (7) In this paragraph, a reference to producing a document includes a reference to producing a legible and intelligible copy of information recorded otherwise than in legible form.