



# 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.

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*Status: This is the original version (as it was originally enacted).*

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- (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.”.