



National Security and Investment Act 2021

2021 CHAPTER 25

PART 1

CALL-IN FOR NATIONAL SECURITY

CHAPTER 1

CALL-IN POWER

1 Call-in notice for national security purposes

- (1) The Secretary of State may give a notice if the Secretary of State reasonably suspects that—
 - (a) a trigger event has taken place in relation to a qualifying entity or qualifying asset, and the event has given rise to or may give rise to a risk to national security, or
 - (b) arrangements are in progress or contemplation which, if carried into effect, will result in a trigger event taking place in relation to a qualifying entity or qualifying asset, and the event may give rise to a risk to national security.
- (2) For the purposes of this Act, in considering whether a trigger event has taken place, or whether arrangements are in progress or contemplation which, if carried into effect, will result in a trigger event taking place, the effect of section 13(1) (notifiable acquisitions that are void) must be disregarded.
- (3) A notice under subsection (1) is referred to in this Act as a call-in notice.
- (4) If the Secretary of State decides to give a call-in notice, the notice must be given to—
 - (a) the acquirer,
 - (b) if the trigger event relates to a qualifying entity, the entity, and
 - (c) such other persons as the Secretary of State considers appropriate.

Status: This is the original version (as it was originally enacted).

- (5) The call-in notice must include a description of the trigger event to which it relates and state the names of the persons to whom the notice is given.
- (6) The Secretary of State may not give a call-in notice unless a statement has been published (and not withdrawn) for the purposes of section 3.
- (7) The Secretary of State must have regard to that statement before giving a call-in notice.
- (8) But nothing in the statement limits the power to give a call-in notice.