



National Security and Investment Act 2021

2021 CHAPTER 25

PART 3

ENFORCEMENT AND APPEALS

Offences

34 Offences: information and attendance of witnesses

- (1) A person commits an offence if—
 - (a) the person fails, without reasonable excuse, to comply with a requirement of an information notice or an attendance notice, or
 - (b) the person intentionally or recklessly alters, suppresses or destroys or causes or permits the alteration, suppression or destruction of any information the person has been required by an information notice to provide.
- (2) A person commits an offence if the person intentionally obstructs or delays the making of a copy of information provided in response to an information notice.
- (3) A person commits an offence if—
 - (a) the person supplies any information to the Secretary of State (including by way of giving evidence pursuant to an attendance notice) in connection with a function of the Secretary of State under this Act,
 - (b) the information is false or misleading in a material respect, and
 - (c) the person knows that, or is reckless as to whether, it is false or misleading in a material respect.
- (4) A person commits an offence if—
 - (a) the person supplies any information to another person (other than the Secretary of State),

Changes to legislation: There are currently no known outstanding effects for the National Security and Investment Act 2021, Section 34. (See end of Document for details)

- (b) the person supplying the information knows that the information is to be used for the purpose of supplying information to the Secretary of State in connection with a function of the Secretary of State under this Act,
 - (c) the information is false or misleading in a material respect, and
 - (d) the person supplying the information knows that, or is reckless as to whether, it is false or misleading in a material respect.
- (5) Where a person is convicted of an offence under subsection (1) or (2), the court may make an order requiring that person, within such period as may be specified by the order—
- (a) to comply with a requirement in an information notice,
 - (b) to comply with a requirement in an attendance notice, or
 - (c) to permit the making of a copy of information.
- (6) Any reference in subsection (1) to destroying information includes a reference to destroying the means of reproducing information recorded otherwise than in legible form.

Commencement Information

II S. 34 in force at 4.1.2022 by S.I. 2021/1465, regs. 2, 3 (with regs. 4, 5)

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