National Security and Investment Act 2021

2021 CHAPTER 25

PART 3

ENFORCEMENT AND APPEALS

Prosecution and penalties

39 Offences: penalties

(1) A person who commits an offence under section 32 (completing notifiable acquisition without approval) or 33 (failing to comply with interim or final order) is liable—

(a) on summary conviction in England and Wales, to imprisonment for a term not exceeding **[**[F1]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 summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months, or a fine not exceeding the statutory maximum (or both),

(d) on conviction on indictment, to imprisonment for a term not exceeding 5 years, or a fine (or both).

(2) A person who commits an offence under section 34 (offences in relation to supplying information and attendance of witnesses) or 35 (offences in relation to sharing information) is liable—

(a) on summary conviction in England and Wales, to imprisonment for a term not exceeding **[**[F2]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 summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months, or a fine not exceeding the statutory maximum (or both),

(d) on conviction on indictment, to imprisonment for a term not exceeding 2 years, or a fine (or both).

(3) In relation to an offence committed before **[**[F3]2 May 2022**]**, the references in subsections (1)(a) and (2)(a) to **[**[F4]the general limit in a magistrates' court**]** are to be read as references to 6 months.

Textual Amendments

F1 Words in s. 39(1)(a) substituted (7.2.2023 at 12.00 p.m.) by The Judicial Review and Courts Act 2022 (Magistrates' Court Sentencing Powers) Regulations 2023 (S.I. 2023/149), regs. 1(2), 2(1), **Sch. Pt. 1**

F2 Words in s. 39(2)(a) substituted (7.2.2023 at 12.00 p.m.) by The Judicial Review and Courts Act 2022 (Magistrates' Court Sentencing Powers) Regulations 2023 (S.I. 2023/149), regs. 1(2), 2(1), **Sch. Pt. 1**

F3 Words in s. 39(3) substituted (28.4.2022) by The Criminal Justice Act 2003 (Commencement No. 33) and Sentencing Act 2020 (Commencement No. 2) Regulations 2022 (S.I. 2022/500), regs. 1(2), 5(1), **Sch. Pt. 1**

F4 Words in s. 39(3) substituted (7.2.2023 at 12.00 p.m.) by The Judicial Review and Courts Act 2022 (Magistrates' Court Sentencing Powers) Regulations 2023 (S.I. 2023/149), regs. 1(2), 2(1), **Sch. Pt. 1**

Commencement Information

I1 S. 39 in force at 4.1.2022 by S.I. 2021/1465, **regs. 2**, 3 (with regs. 4, 5)

Changes to legislation:
There are currently no known outstanding effects for the National Security and Investment Act 2021, Section 39.