



National Security and Investment Act 2021

2021 CHAPTER 25

PART 3

ENFORCEMENT AND APPEALS

Civil sanctions

45 Monetary penalties: cost recovery

- (1) The Secretary of State may give a notice to a person requiring the person to pay to the Secretary of State the costs incurred by the Secretary of State in relation to the imposition of a monetary penalty on that person under section 40.
- (2) A notice under subsection (1) is referred to in this Act as a cost recovery notice.
- (3) The reference to “costs” in subsection (1) includes, in particular—
 - (a) investigation costs,
 - (b) administration costs,
 - (c) costs of obtaining expert advice (including legal advice).
- (4) A cost recovery notice must specify the amount to be paid and include information as to—
 - (a) the grounds for giving the notice,
 - (b) how payment may be made,
 - (c) the period within which payment is to be made (which must be at least 28 days),
 - (d) rights of appeal,
 - (e) the consequences of non-payment.
- (5) A person required to pay an amount to the Secretary of State under this section may require the Secretary of State to give a detailed breakdown of that amount.

Changes to legislation: There are currently no known outstanding effects for the National Security and Investment Act 2021, Section 45. (See end of Document for details)

- (6) Costs imposed under this section are to be paid out of—
- (a) the partnership assets where imposed on a partnership, and
 - (b) the funds of the association where imposed on an unincorporated association other than a partnership.

Commencement Information

II S. 45 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 45.