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**Changes to legislation:** There are currently no known outstanding effects for the Crossrail Act 2008,  
Cross Heading: Provision of information to person making scheme. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 12

#### TRANSFER SCHEMES

##### PART 4

###### GENERAL PROVISIONS ABOUT TRANSFER SCHEMES

###### *Provision of information to person making scheme*

- 17 Where the Secretary of State proposes to make a scheme under paragraph 1(1), 2(1) or 3(1) he may direct—
- (a) a proposed transferor,
  - (b) a proposed transferee, or
  - (c) Cross London Rail Links Limited,
- to provide him with such information as he considers necessary to enable him to make the scheme.
- 18 (1) This paragraph applies to a direction under paragraph 17.
- (2) The direction must specify the period within which the information is to be provided.
- (3) The period specified must be not less than 28 days beginning with the day when the direction is given.
- (4) If a person fails to comply with the direction, the Secretary of State may serve a notice on the person—
- (a) requiring the person to produce to the Secretary of State, at a time and place specified in the notice, any documents which are specified or described in the notice and are in the person's custody or control, or
  - (b) requiring the person to provide to the Secretary of State, at a time and place and in the form and manner specified in the notice, such information as may be specified or described in the notice.
- (5) No person may be required under this paragraph—
- (a) to produce a document which he could not be compelled to produce in civil proceedings in the High Court, or
  - (b) to provide information which he could not be compelled to give in evidence in such proceedings.
- (6) A person who intentionally alters, suppresses or destroys a document which he has been required to produce by a notice under sub-paragraph (4) is guilty of an offence and liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum, and
  - (b) on conviction on indictment, to a fine.

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- (7) If a person fails to comply with a notice under sub-paragraph (4), the High Court may, on the application of the Secretary of State, make such order as the court thinks fit for requiring the failure to be made good.
- (8) Any order under sub-paragraph (7) may include provision requiring all the costs or expenses of and incidental to the application to be borne by one or more of—
- (a) the person in default, and
  - (b) any officers of a body corporate or other association who are responsible for its default.
- (9) In this paragraph—
- (a) a reference to the production of a document includes a reference to the production of a legible and intelligible copy of information recorded otherwise than in legible form, and
  - (b) the reference to suppressing a document includes a reference to destroying the means of reproducing information recorded otherwise than in legible form.

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