



NATIONAL SECURITY AND INVESTMENT ACT 2021

Publication of notice of Final Order

Date: 16 November 2022

1. The Secretary of State for Business, Energy and Industrial Strategy (“the Secretary of State”) has made a final order pursuant to section 26 of the National Security and Investment Act 2021 (“the Act”), which comes into force on 16 November 2022.
2. The Parties who are subject to the order are:
 - i. Nexperia BV (“the Acquirer”).
 - ii. Nexperia Newport Limited (formerly Newport Wafer Fab)(“NNL”)
3. On 5 July 2021 the Acquirer gained an additional 86% of the share capital of Newport Wafer Fab (now NNL), taking its shareholding to 100%.
4. This acquisition constitutes a trigger event under section 8(2)(c) of the Act.
5. The Secretary of State considers that a risk to national security relates to:
 - i. technology and know-how that could result from a potential reintroduction of compound semiconductor activities at the Newport site, and the potential for those activities to undermine UK capabilities; and
 - ii. the location of the site could facilitate access to technological expertise and know-how in the South Wales Cluster (“the Cluster”), and the links between the site and the Cluster may prevent the Cluster being engaged in future projects relevant to national security.
6. The order has the effect of requiring Nexperia BV to sell at least 86% of NNL within a specified period and by following a specified process.
7. The Secretary of State considers that the final order is necessary and proportionate to mitigate the risk to national security.