



**SUPPLEMENT TO THE VOTES AND PROCEEDINGS**

**Wednesday 20 January 2021**  
**REPORT STAGE PROCEEDINGS**

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**NATIONAL SECURITY AND INVESTMENT BILL**

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**GLOSSARY**

*This document shows the fate of each clause, schedule, amendment and new clause.*

*The following terms are used:*

*Added:* New Clause agreed without a vote and added to the Bill.

*Agreed to:* agreed without a vote.

*Agreed to on division:* agreed following a vote.

*Negatived:* rejected without a vote.

*Negatived on division:* rejected following a vote.

*Not called:* debated in a group of amendments, but not put to a decision.

*Not moved:* not debated or put to a decision.

*Question proposed:* debate underway but not concluded.

*Withdrawn after debate:* moved and debated but then withdrawn, so not put to a decision.

*Not selected:* not chosen for debate by the Speaker.

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Stephen Flynn  
 Peter Grant  
 Stewart Hosie

*Withdrawn after debate* NC1

To move the following Clause—

**“Impact on academic research spin-off enterprises**

- (1) Within one year of this Act being passed, the Secretary of State must lay before Parliament an assessment of the Act’s impact on academic research spin-off enterprises.
  - (2) The assessment under subsection (1) must be reviewed at least once every five years.”
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**National Security and Investment Bill, *continued***

Stephen Flynn  
Peter Grant  
Stewart Hosie

*Not called* NC2

To move the following Clause—

**“Report on impact on Small to Medium Enterprises**

Not later than 18 months after the day on which this Act receives Royal Assent, the Secretary of State must lay before Parliament—

- (a) a report setting out the impacts the Act has had on Small to Medium Enterprises and early-stage ventures, and
- (b) guidance for Small to Medium Enterprises and early-stage ventures on complying with the provisions of this Act.”

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Stephen Flynn  
Peter Grant  
Stewart Hosie

*Not called* NC3

To move the following Clause—

**“Grace period for Small and Medium Enterprises**

For the purposes of section 32, a person has a reasonable excuse if—

- (a) the entity concerned is a Small to Medium Enterprise;
- (b) this Act has been in force for less than six months.”

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Tom Tugendhat  
Chris Bryant  
Stewart Malcolm McDonald  
Neil Coyle  
Andrew Rosindell  
Bob Seely

Henry Smith  
Claudia Webbe

Royston Smith  
Chi Onwurah

Graham Stringer

*Negated on division* NC4

To move the following Clause—

**“Framework for understanding national security**

When assessing a risk to national security for the purposes of this Act, the Secretary of State must have regard to factors including, but not restricted to—

- (a) the potential impact of the trigger event on the UK’s defence capabilities and interests;
- (b) whether the trigger event risks enabling a hostile actor to—
  - (i) gain control or significant influence of a part of a critical supply chain, critical national infrastructure, or natural resource;

**National Security and Investment Bill, *continued***

- (ii) conduct espionage via or exert undue leverage over the target entity;
- (iii) obtain access to sensitive sites or to corrupt processes or systems;
- (c) the characteristics of the acquirer, including whether it is effectively directly or indirectly under the control, or subject to the direction, of a foreign government;
- (d) whether the trigger event adversely impacts the UK's capability and capacity to maintain security of supply or strategic capability in sectors critical to the UK's economy or creates a situation of significant economic dependency;
- (e) the potential impact of the trigger event on the transfer of sensitive data, technology or potentially sensitive intellectual property in strategically important sectors, outside of the UK;
- (f) the potential impact of the trigger event on the UK's international interests and obligations, including compliance with UK legislation on modern slavery and compliance with the UN Genocide Convention;
- (g) the potential of the trigger event to involve or facilitate significant illicit or subversive activities, including terrorism, organised crime, money laundering and tax evasion; and
- (h) whether the trigger event may adversely impact the safety and security of UK citizens or the UK."

Chi Onwurah  
Edward Miliband  
Keir Starmer  
Mr Nicholas Brown

*Not called* NC5

To move the following Clause—

**“National Security Definition**

When assessing a risk to national security for the purposes of this Act, the Secretary of State must have regard to factors including, but not restricted to—

- (a) the potential impact of the trigger event on the UK's defence capabilities and interests;
- (b) whether the trigger event risks enabling a hostile actor to—
  - (i) gain control or significant influence of a critical supply chain, critical national infrastructure, or natural resource;
  - (ii) conduct espionage or exert undue leverage over the target entity;
  - (iii) obtain access to sensitive sites; or
  - (iv) to corrupt processes or systems.
- (c) the characteristics of the acquirer, including whether it is effectively directly or indirectly under the control, or subject to the direction, of a foreign government;
- (d) whether the trigger event adversely impacts the UK's capability and capacity to maintain security of supply or strategic capability in sectors critical to the UK's economy or creates a situation of significant economic dependency;

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**National Security and Investment Bill, *continued***

- (e) the potential impact of the trigger event on the transfer of sensitive data, technology or potentially sensitive intellectual property in strategically important sectors, outside of the UK;
  - (f) the potential impact of the trigger event on the UK's international interests and obligations, including compliance with UK legislation on modern slavery and compliance with the UN Genocide Convention;
  - (g) the potential of the trigger event to involve or facilitate significant illicit or subversive activities, including terrorism, organised crime, money laundering and tax evasion; and
  - (h) whether the trigger event may adversely impact the safety and security of UK citizens or the UK.”
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Chi Onwurah  
 Edward Miliband  
 Keir Starmer  
 Mr Nicholas Brown

*Negated on division* **NC6**

To move the following Clause—

**“Dedicated Small to Medium Enterprise support**

- (1) Within 3 months of this Act receiving Royal Assent the Secretary of State must set up, a specific division focused on engagement with Small to Medium enterprises (SMEs) engaged in any provisions of this Act.
  - (2) The division must focus on four functions—
    - (a) providing updated, efficient and accessible guidance specific to SMEs on compliance with the terms of this Act;
    - (b) engaging with SMEs in advance of formal notification that can allow efficient notice and assessment periods, including through use of regulatory sandboxes where beneficial for innovation and national security;
    - (c) providing regular engagement with and assistance to SMEs throughout the assessment periods for SMEs;
    - (d) seeking to deliver prompt, proportionate resolution of complaints by SMEs relating to the provisions of this Bill;
    - (e) monitor the impact on access to investment for SMEs and report to the Secretary of State.”
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 National Security and Investment Bill, *continued*

Chi Onwurah  
 Edward Miliband  
 Keir Starmer  
 Mr Nicholas Brown

*Negatived on division* NC7

To move the following Clause—

**“Reports to the Intelligence and Security Committee of Parliament**

- (1) The Secretary of State must, in relation to each relevant period—
  - (a) prepare a report in accordance with this section, and
  - (b) provide a copy of it to the Intelligence and Security Committee of Parliament as soon as is practicable after the end of that period.
- (2) Each report must provide, in respect of mandatory and voluntary notifications, call-in notices, and final orders made under this Act, details of—
  - (a) the jurisdiction of the acquirer and its incorporation;
  - (b) the number of state-owned entities and details of states of such entities;
  - (c) the nature of national security risks posed in transactions for which there were final orders;
  - (d) details of particular technological or sectoral expertise that were being targeted; and
  - (e) any other information the Secretary of State may deem instructive on the nature of national security threats uncovered through review undertaken under this Act.”

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Stephen Flynn  
 Peter Grant  
 Stewart Hosie

*Not called* 3

Clause 3, page 3, line 10, leave out subsection (4) and insert—

- “(4) The Secretary of State must review a statement published under this section within one year after the publication of the first such statement, and thereafter at least once every 5 years.”

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Stephen Flynn  
 Peter Grant  
 Stewart Hosie

*Not called* 1

Clause 6, page 5, line 3, at end insert—

- “(10) Notifiable acquisition regulations must be reviewed one year after they are made, and once every five years thereafter.”

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**National Security and Investment Bill, *continued***

Stephen Flynn  
Peter Grant  
Stewart Hosie

*Not called* 6

Clause 6, page 5, line 3, at end insert—

- “(10) Notifiable acquisition regulations must bring broadcast, print and social media companies within the scope of the mandataory notification regime.”
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Stephen Flynn  
Peter Grant  
Stewart Hosie

*Not called* 2

Clause 8, page 6, line 38, at end insert—

- “(8A) The fifth case is where a person becomes a major debt holder and therefore gains influence over the entity’s operation and policy decisions.
- (8B) For the purposes of subsection (8A), a major debt holder is a person who holds at least 25% of the entity’s total debt.
- (8C) The sixth case is where a person becomes a supplier to the entity of goods, services, infrastructure or resources to such an extent that the withholding of the supply would seriously undermine the entity’s ability to continue its operations.”
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Stephen Flynn  
Peter Grant  
Stewart Hosie

*Not called* 4

Clause 30, page 20, line 3, after “period” insert “or any calendar year”

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Stephen Flynn  
Peter Grant  
Stewart Hosie

*Not called* 5

Clause 54, page 33, line 42, at end insert—

- “(aa) whether the law of the country or territory to whose authority the disclosure would be made contains provisions and prohibit any use or disclosure of the information contrary to subsection (4),
- (ab) whether the Secretary of State considers that disclosing the information to that authority would in itself pose a threat to national security, and”
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National Security and Investment Bill, *continued*

Chi Onwurah  
Edward Miliband  
Keir Starmer  
Mr Nicholas Brown

*Not called* 7

Clause 61, page 36, line 20, at end insert—

- “(m) the average number of days taken to assess a trigger event called in under the Act;
- (n) the average number of days taken for acceptance decisions in respect of mandatory and voluntary notices;
- (o) the average staff resource allocated to the operation of reviews of notices made under sections 14 and 18 over the relevant period;
- (p) the number and proportion of notices and call-in notices concerning the acquisition of a Small to Medium Enterprise; and
- (q) in respect of the transactions stated subsection (p), the sectors of the economy in relation to which call-in notices were given.”

*Bill read the third time, and passed.*

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