
Report Stage: Tuesday 25 May 2021

Telecommunications (Security) Bill (Amendment Paper)

This document lists all amendments tabled to the Telecommunications (Security) Bill. Any withdrawn amendments are listed at the end of the document. The amendments are arranged in the order in which it is expected they will be decided.

Chi Onwurah
Jo Stevens
Christian Matheson
Keir Starmer
Sir Alan Campbell

NC1

To move the following Clause—

“OFCOM’s Annual Report

- (1) The Communications Act 2003 is amended as follows.
- (2) After section 105Z29 insert—

“105Z30 OFCOM’s Annual Report

- (1) Every report under paragraph 12 of the Schedule to the Office of Communications Act 2002 (OFCOM’s annual report) must include a statement on—
 - (a) the adequacy of OFCOM’s resourcing in fulfilling its functions under the amendments made to this Act by the Telecommunications (Security) Act 2021;
 - (b) OFCOM’s determination of the adequacy of measures taken by network providers in the previous 12 months to comply with sections 105A and 105B of the Communications Act 2003 and regulations made thereunder; and
 - (c) OFCOM’s assessment of emerging or future areas of security risk based on its interrogation of network providers’ asset registries.
- (2) The statement required by subsection (1)(a) must include an assessment of—
 - (a) the adequacy of Ofcom’s budget and funding;
 - (b) the adequacy of staffing levels in Ofcom;
 - (c) any skills shortages faced by Ofcom.””

Member’s explanatory statement

This new clause introduces an obligation on Ofcom to report on the adequacy of their resources and assess the adequacy of the annual measures taken by telecommunications providers to

comply with their duty to take necessary security measures. It also requires Ofcom to assess future areas of security risk based on its interrogation of network providers' asset registries.

Chi Onwurah
Jo Stevens
Christian Matheson
Keir Starmer
Sir Alan Campbell

NC2

To move the following Clause—

“Provision of information to the Intelligence and Security Committee

The Secretary of State must provide the Intelligence and Security Committee of Parliament as soon as is reasonably practicable with a copy of—

- (a) any direction or notice (or part thereof) that is withheld from publication by the Secretary of State in the interests of national security in accordance with section 105Z11(2) or (3) of the Communications Act 2003;
- (b) any notification of contravention given by the Secretary of State in accordance with section 105Z18(1) of the Communications Act 2003;
- (c) any confirmation decision given by the Secretary of State in accordance with section 105Z20(2)(a) of the Communications Act 2003;
- (d) any reasons for making an urgent enforcement direction that are withheld by the Secretary of State in the interests of national security in the accordance with section 105Z22(5) of the Communications Act 2003; and
- (e) any reasons for confirming or modifying an urgent enforcement direction that are withheld by the Secretary of State in the interests of national security in accordance with section 105Z23(6) of the Communications Act 2003.”

Member's explanatory statement

This new clause would ensure that the Intelligence and Security Committee of Parliament is provided with any information relating to a designated vendor direction, notification of contravention, urgent enforcement action or modifications to an enforcement direction made on grounds of national security.

Chi Onwurah
Jo Stevens
Christian Matheson
Keir Starmer
Sir Alan Campbell

NC3

To move the following Clause—

“Network diversification

- (1) The Secretary of State must publish an annual report on the impact of progress of the diversification of the telecommunications supply chain on the security of public electronic communication networks and services.
- (2) The report required by subsection (1) must include an assessment of the effect on the security of those networks and services of—
 - (a) progress in network diversification set against the most recent telecommunications diversification strategy presented to Parliament by the Secretary of State;
 - (b) likely changes in ownership or trading position of existing market players;
 - (c) changes to the diversity of the supply chain for network equipment;
 - (d) new areas of market consolidation and diversification risk including the cloud computing sector;
 - (e) progress made in any aspects of the implementation of the diversification strategy not covered by subsection (a);
 - (f) the public funding which is available for diversification.
- (3) The Secretary of State must lay the report before Parliament.
- (4) A Minister of the Crown must, not later than two months after the report has been laid before Parliament, make a motion in the House of Commons in relation to the report.”

Member’s explanatory statement

This new clause requires the Secretary of State to report on the impact of the Government’s diversification strategy on the security of telecommunication networks and services, and allow for a debate in the House of Commons on the report.

Stephen Flynn 1
Owen Thompson

Clause 14, page 21, line 27, at end insert—

“(3) The Secretary of State must, in the process of carrying out reviews and drafting subsequent reports, consult the appropriate ministers from the devolved governments.”

Sir Iain Duncan Smith 2
Ms Nusrat Ghani

Clause 15, page 22, line 7, at beginning, insert “Subject to subsection (2A),”

Sir Iain Duncan Smith 3
Ms Nusrat Ghani
Mr David Davis

Clause 15, page 22, line 12, at end insert—

“(2A)The Secretary of State must make a designated vendor direction in respect of any vendor which is required under certain circumstances to yield its data to the government or intelligence services of the country where it has its headquarters.”

Order of the House

[30 November 2020, as amended 17 December 2020]

That the following provisions shall apply to the Telecommunications (Security) Bill:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 28 January 2021.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and up to and including Third Reading

4. Proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which proceedings on Consideration are commenced.

5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and up to and including Third Reading.

Other proceedings

7. Any other proceedings on the Bill may be programmed.
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