

LORDS AMENDMENTS TO THE
ADVANCED RESEARCH AND INVENTION AGENCY BILL

[The page and line references are to HL Bill 24, the bill as first printed for the Lords]

Clause 2

- 1 Page 2, line 3, at end insert—
- “(ba) financial support provided by ARIA may be treated as convertible to equity interest in the business entity which has received such support;
 - (bb) for a period of ten years after ARIA has provided financial support, or made property available, the business entity which has received such support must obtain the consent of ARIA before—
 - (i) transferring specified intellectual property rights from the United Kingdom to any territory outside the United Kingdom, or
 - (ii) selling or otherwise transferring a controlling interest in that entity to another entity not resident in the United Kingdom;”

Clause 8

- 2 Page 3, line 35, leave out from “any” to end of line 36
- 3 Page 4, line 4, at end insert—
- “(7) Consequential provision made under this section by virtue of section 11(2) may modify any provision, whenever passed or made, of, or made under—
 - (a) primary legislation, or
 - (b) retained direct EU legislation.
 - (8) In subsection (7)—
 - “modify” includes amend, repeal or revoke;
 - “primary legislation” means—
 - (a) an Act (including this Act);
 - (b) an Act of the Scottish Parliament;
 - (c) an Act or Measure of Senedd Cymru;
 - (d) Northern Ireland legislation.”

Clause 10

4 Leave out Clause 10

Clause 11

5 Page 4, line 29, leave out “any of the following” and insert “regulations under section 8”

6 Page 4, line 32, leave out paragraphs (a) and (b)

Clause 12

7 Page 5, leave out lines 4 to 8

Clause 14

8 Page 5, line 28, leave out “10” and insert “11”

Schedule 1

9 Page 7, line 36, leave out paragraph (a)

10 Page 8, line 1, leave out from beginning to “not” and insert “Sub-paragraph (1) does”

Schedule 3

11 Page 13, leave out lines 1 to 14

12 Page 13, line 14, at end insert –

“Income Tax (Earnings and Pensions) Act 2003

6A In section 61L(1) of the Income Tax (Earnings and Pensions) Act 2003 (meaning of “public authority”), after paragraph (b) insert –

“(ba) the Advanced Research and Invention Agency;”. ”

13 Page 13, leave out lines 15 to 30

14 Page 13, line 35, at end insert –

“Small Business, Enterprise and Employment Act 2015

10A The Small Business, Enterprise and Employment Act 2015 is amended as follows.

10B In section 7 (sections 4 to 6: interpretation), in subsection (2), for the definition of “public authority” substitute –

““public authority” means –

(a) a public authority within the meaning of the Freedom of Information Act 2000 (see section 3 of that Act), or

(b) the Advanced Research and Invention Agency;”. ”

- 10C In section 22 (sections 21 and 23 to 25: “qualifying regulatory provisions” etc), in subsection (8), for the definition of “public authority” (but not the “and” immediately after it) substitute –
- ““public authority” means –
- (a) a public authority within the meaning of the Freedom of Information Act 2000 (see section 3 of that Act), or
 - (b) the Advanced Research and Invention Agency;”.
- 10D In section 27 (sections 21 to 25 etc: interpretation), in subsection (6), for the definition of “public authority” (but not the “and” immediately after it) substitute –
- ““public authority” means –
- (a) a public authority within the meaning of the Freedom of Information Act 2000 (see section 3 of that Act), or
 - (b) the Advanced Research and Invention Agency;”.
- 10E In section 28 (duty to review regulatory provisions in secondary legislation), in subsection (4), for the words following ““public authority”” substitute “means –
- (a) a public authority within the meaning of the Freedom of Information Act 2000 (see section 3 of that Act), or
 - (b) the Advanced Research and Invention Agency.”

Enterprise Act 2016

- 10F In section 13 of the Enterprise Act 2016 (definitions used in Part 1), in the definition of “public authority” –
- (a) omit “or” at the end of paragraph (a);
 - (b) after paragraph (b) insert “, or
 - (c) the Advanced Research and Invention Agency.”

Data Protection Act 2018

- 10G The Data Protection Act 2018 is amended as follows.
- 10H In section 7 (meaning of “public authority” and “public body”) –
- (a) in subsection (1), after paragraph (b) (but before the “and” at the end of that paragraph) insert –
 - “(ba) the Advanced Research and Invention Agency;”;
 - (b) in subsection (4), for “described in subsection (1)(a) or (b)” substitute “described or mentioned in subsection (1)(a), (b) or (ba)”.
- 10I (1) Section 21 (definitions for purposes of Chapter 3 of Part 2) is amended as follows.
- (2) In subsection (5), in the definition of “FOI public authority” –
 - (a) omit “or” at the end of paragraph (a);
 - (b) after paragraph (b) insert “, or
 - (c) the Advanced Research and Invention Agency.”
 - (3) At the end insert –

- “(8) In relation to the Advanced Research and Invention Agency –
- (a) for the purposes of subsection (6)(a) –
 - (i) section 3(2) of the Freedom of Information Act 2000 is to be read as if “public authority” included that Agency, and
 - (ii) section 3(2) of the Freedom of Information (Scotland) Act 2002 (asp 13) is to be read as if “authority” included that Agency, and
 - (b) subsection (7) does not apply.”

Social Security Contributions (Intermediaries) Regulations

- 10J (1) In regulation 3A of the Social Security Contributions (Intermediaries) Regulations 2000 (S.I. 2000/727) (meaning of “public authority”), after paragraph (b) insert –
- “(ba) the Advanced Research and Invention Agency,”.
- (2) In regulation 3A of the Social Security Contributions (Intermediaries) (Northern Ireland) Regulations 2000 (S.I. 2000/728) (meaning of “public authority”), after paragraph (b) insert –
- “(ba) the Advanced Research and Invention Agency,”.

15 Page 14, line 3, at end insert –

“UK GDPR

- 12 (1) In Article 2 of the UK GDPR (material scope), in paragraph (5)(d), for “and (7)” substitute “to (8)”.
- (2) In sub-paragraph (1), “UK GDPR” has the same meaning as in the Data Protection Act 2018 (see sections 3(10) and 205(4) of that Act).”

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**Advanced Research and Invention Agency
Bill**

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