
Report Stage: Wednesday 9 November 2022

National Security Bill, As Amended (Amendment Paper)

This document lists all amendments tabled to the National 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 Any withdrawn amendments are listed at the end of the document.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.

★ New Amendments: 3 to 14 and NC3 to NC6

Chris Bryant

NC1

Dame Margaret Hodge
Liam Byrne
Bob Seely
Dame Diana Johnson

To move the following Clause—

“Offence of failing to declare participation in arrangement required to be registered

- (1) A person who carries out an activity, or arranges for an activity to be carried out, in the United Kingdom pursuant to—
 - (a) a foreign activity arrangement required to be registered under section 61(1), or
 - (b) a foreign influence arrangement required to be registered under section 64(1)must declare that they are party to the arrangement, when making a communication to those in section 65(2)(a)(i) to (vi).
- (2) A person who breaches the requirement in subsection (1) commits an offence.”

Member's explanatory statement

This new clause makes it an offence for a person to engage in activity pursuant to a foreign activity or foreign influence arrangement which is required to be registered, if the person does not declare that they are party to the arrangement when communicating with those in section 65(2)(a)(i) to (vi).

Chris Bryant

NC2

To move the following Clause—

**“Offence of carrying out activities under a foreign activity arrangements:
Disqualification from Parliament**

- (1) A person who is a Member of the House of Commons or the House of Lords commits an offence if—
 - (a) the person carries out an activity, or arranges for an activity to be carried out, in the United Kingdom pursuant to a foreign activity arrangement, and
 - (b) the persons knows, or ought reasonably to know, that they are acting under the direction of a specified person.
- (2) A person who is found guilty of an offence under subsection (1), and is a Member of the House of Commons, is disqualified from membership of the House of Commons.
- (3) A person who is found guilty of an offence under subsection (1), and is a Member of the House of Lords, is disqualified from sitting or voting in the House of Lords, and sitting or voting in a committee of the House of Lords or a joint committee of both Houses.
- (4) In this section, “foreign activity arrangement” has the same meaning as in section 61(2).”

Member's explanatory statement

This new clause would automatically disbar Members of the House of Commons and Lords who are found guilty of engaging in an activity pursuant to a foreign activity arrangement, where the person knows, or ought reasonably to know, that they are acting under the direction of a specified person.

Holly Lynch

NC3

Jess Phillips
Yvette Cooper

★ To move the following Clause—

“Reviews of Parts 1, 4 and 5

- (1) The operation of Parts 1, 4 and 5 of this Act must be reviewed by a person, or people, appointed by the Secretary of State.
- (2) The operation of Part 4 must be reviewed by the person appointed by the Secretary of State under section 36(1) of the Terrorism Act 2006.
- (3) The operation of Parts 1 and 5 must be reviewed by either—
 - (a) the person appointed by the Secretary of State under section 36(1) of the Terrorism Act 2006, or
 - (b) a different person appointed by the Secretary of State.
- (4) Reviews under this section must be carried out in respect of—

- (a) the 12-month period beginning with the day on which any section in this Part comes into force, and
 - (b) each subsequent 12-month period.
- (5) Each review under subsection (1) must be completed as soon as reasonably practicable after the period to which it relates.
- (6) The person or people mentioned in subsections (2) and (3) must send to the Secretary of State a report on the outcome of each review carried out under subsection (1) as soon as reasonably practicable after completion of the review.
- (7) On receiving a report under subsection (6), the Secretary of State must lay a copy of it before Parliament.
- (8) Section 36(6) of the Terrorism Act 2006 shall be read such that the “expenses” and “allowances” mentioned therein may include the discharge by the person or people of their functions under this section.”

Holly Lynch

Jess Phillips
Yvette Cooper

NC4

★ To move the following Clause—

“Reporting on disinformation originating from foreign powers

- (1) The Secretary of State must appoint a person or body to review the extent of disinformation originating from foreign powers which presents a threat, or potential threat, to national security.
- (2) A review under subsection (1) must include an assessment of the extent of foreign interference in elections.
- (3) A review under subsection (1) may include—
 - (a) examining the number and scale of offences committed, and estimating the number and scale of instances where an offence is suspected to have been committed, under—
 - (i) section 13, where Condition C is met, and
 - (ii) section 14,
 - and,
 - (b) any other matters the person or body considers relevant to the matters mentioned in subsections (1) and (2).
- (4) The person or body appointed under subsection (1) may be the Intelligence and Security Committee of Parliament, or another person or body the Secretary of State considers appropriate.
- (5) A review must be carried out under this section in respect of—
 - (a) the 12-month period beginning with the day on which section 13 comes into force, and
 - (b) each subsequent 12-month period.

- (6) Each review under this section must be completed as soon as reasonably practicable after the period to which it relates.
- (7) The person or body must send to the Secretary of State a report on the outcome of each review carried out under this section as soon as reasonably practicable after completion of the review.
- (8) On receiving a report under subsection (7), the Secretary of State must lay a copy of it before Parliament.
- (9) The Secretary of State may pay to the person or body—
 - (a) expenses incurred in carrying out the functions of the reviewer under this section, and
 - (b) such allowances as the Secretary of State determines,
 except where financial provision is already made to the person or body for the discharge of the person or body's functions, of which this section may form part."

Holly Lynch

NC5

Jess Phillips
Yvette Cooper

★ To move the following Clause—

“Proceedings relating to safety or interests of the United Kingdom

- (1) This section applies where a court is considering proceedings under Part 1 of this Act, where the proceedings involve the safety or interests of the United Kingdom.
- (2) In proceedings to which this section applies, the court must take account of how the interests of the Secretary of State or of the Government of the United Kingdom may differ from the interests of the United Kingdom, in order to satisfy itself that the interests of the United Kingdom have been appropriately identified and considered.”

Holly Lynch

NC6

Jess Phillips
Yvette Cooper

★ To move the following Clause—

“Ministerial conduct

- (1) This section applies in relation to any Minister of the Crown who engages with, or intends to engage with, or ought reasonably to know that they are about to engage with, a person who is a part of a foreign intelligence service.
- (2) A Minister of the Crown may only engage with such a person if either of the following conditions are met—

- (a) a senior civil servant is formally present at or party to the engagement, and a formal record of the engagement has been made by the senior civil servant; or
- (b) a senior civil servant is not formally present at or party to the engagement, and a formal record of the engagement has not been made by a senior civil servant, but the written consent of the Prime Minister has been sought by the Minister of the Crown, and has been granted and formally recorded in writing.
- (3) In this section “engagement” includes meeting in person or via electronic means, and corresponding in writing or via electronic means.”

Mr David Davis

14

Dan Jarvis

★ Page 20, line 35, leave out Clause 27

Holly Lynch

3

Jess Phillips
Yvette Cooper

★ Clause 58, page 41, line 8, at end insert—

“(2) Within three months of the passing of this Act, the Secretary of State must publish a statement setting out how the Secretary of State intends to exercise the power under this section. The statement must include a list of illustrative examples of the kinds of contracts or other arrangements this power relates to.”

Chris Bryant

1

Clause 75, page 53, line 39, at end insert—

“(h) an offence under section [Offence of failing to declare participation in arrangement required to be registered] committed in relation to a foreign activity arrangement required to be registered under section 61(1).”

Member's explanatory statement

This amendment is consequential on NC1.

Chris Bryant

2

Clause 75, page 54, line 23, at end insert—

“(h) an offence under section [Offence of failing to declare participation in arrangement required to be registered] committed in relation to a foreign influence arrangement required to be registered under section 64(1).”

Member's explanatory statement

This amendment is consequential on NC1.

Mr David Davis

8

★ Page 56, line 4, leave out Clause 79

Mr David Davis

9

★ Page 56, line 26, leave out Clause 80

Mr David Davis

10

★ Page 57, line 30, leave out Clause 81

Mr David Davis

11

★ Page 58, line 5, leave out Clause 82

Mr David Davis

12

★ Page 59, line 10, leave out Clause 83

Holly Lynch

5

Jess Phillips
Yvette Cooper

★ Clause 84, page 59, line 29, leave out “F” and insert “G”

Holly Lynch

6

Jess Phillips
Yvette Cooper

★ Clause 84, page 60, line 11, at end insert—

- “(7A) Condition G is met where the offender is seeking legal aid for the purposes of—
- (a) pursuing a civil order, where the purpose of the order is to protect a victim of domestic abuse, or
 - (b) participating in family court proceedings, and where the offender is a victim of domestic abuse.”

Holly Lynch

7

Jess Phillips
Yvette Cooper

★ Clause 84, page 61, line 6, at end insert—

““domestic abuse” has the same meaning as in the Domestic Abuse Act 2021;”

Holly Lynch

4

Jess Phillips
Yvette Cooper

★ Schedule 6, page 100, line 19, at end insert—

- “(1A) A place designated by the Secretary of State under sub-paragraph (1) must be subject to an independent inspection by—
- (a) Her Majesty’s Inspectorate of Constabulary, or
 - (b) a different person or body appointed by the Secretary of State.”

Mr David Davis

13

★ Page 175, line 1, leave out Schedule 13

Order of the House

[6 June 2022, as amended 22 September 2022]

That the following provisions shall apply to the National 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 Tuesday 18 October 2022.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and Third Reading

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings 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 Third Reading.

Other proceedings

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