

INDICATIVE REGULATIONS—27/ii/23
Provided for House of Lords Report stage, National Security Bill (Session 2022 / 23)

*Draft Regulations laid before Parliament under section 94(5) of the National Security Act 2023,
for approval by resolution of each House of Parliament.*

D R A F T S T A T U T O R Y I N S T R U M E N T S

2023 No. ****

NATIONAL SECURITY

**The National Security Act 2023 (Foreign Activities and Foreign
Influence Registration Scheme: Publication) Regulations 2023**

<i>Made</i>	- - - -	***
<i>Coming into force</i>	- -	***

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 79(1)(a) and 94(1) of the National Security Act 2023(a) (“the Act”).

In accordance with section 94(5) of the Act, a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the National Security Act 2023 (Foreign Activities and Foreign Influence Registration Scheme: Publication) Regulations 2023.

(2) They come into force on [***drafting note:** *to be determined*].

(3) They extend to England and Wales, Scotland and Northern Ireland.

Interpretation

2. In these Regulations—

“the Act” means the National Security Act 2023;

“the 2023 Information Regulations” means the National Security Act 2023 (Foreign Activities and Foreign Influence Registration Scheme: Information) Regulations 2023(b);

“P” has the meaning given in section 68(1) of the Act (foreign influence arrangements).

Publication: duty

3.—(1) The Secretary of State must, in relation to a registration to which regulation 5 of the 2023 Information Regulations applies (foreign influence arrangements), publish on an internet website the information identified in the Schedule.

(a) 2023 c. *.
(b) S.I. 2023/****.

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(2) Publication must take place no later than [***drafting note: to be determined**] days beginning with the first day after the day of registration.

(3) Information published in accordance with paragraph (1) must cease to be published at the end of the relevant period.

(4) In paragraph (3), the “relevant period” means—

(a) where the arrangements are continuing arrangements and where a date has not been provided in accordance with paragraph 8(2)(c)(i) of Schedule 4 to the 2023 Information Regulations (anticipated end date), the period of one year beginning with the first day after the day on which the Secretary of State is notified that the arrangements have ceased,

(b) where a date has been provided in accordance with paragraph 8(2)(c)(i) of Schedule 4 to the 2023 Information Regulations (anticipated end date), the period of one year beginning with the first day after—

(i) that date, or

(ii) if a change to that date is notified as a material change in accordance with section 74(3) of the Act, the new date, or

(c) otherwise, the period of one year beginning with the first day after the day of registration.

(5) In paragraph (4)(a) arrangements are to be regarded as continuing if a description has been given under paragraph 8(2)(b) of Schedule 4 to the 2023 Information Regulations (repetition over time).

(6) This regulation is subject to regulation 4 (which contains exceptions).

Publication: exceptions

4.—(1) The Secretary of State must not publish any information which would otherwise be required to be published by regulation 3(1) where any of the following grounds apply.

(2) Ground 1 is that there is a risk that publication would prejudice the national security of the United Kingdom.

(3) Ground 2 is that there is a significant risk that publication would put any individual’s safety at risk.

(4) Ground 3 is that publication would involve the disclosure of commercially sensitive information.

*INDICATIVE REGULATIONS—NOT FOR SIGNATURE

**Name*

Parliamentary Under Secretary of State

Home Office

[*Date]

SCHEDULE

Regulation 3

Information to be published: registrations of foreign influence
arrangements (section 68 of the Act)

1. In relation to P—

(a) where P is an individual, P’s full name;

(b) where P is a body corporate, the information identified in Schedule 1 to the 2023 Information Regulations, paragraphs 9, 10 and 13 to 15;

(c) where P is an unincorporated association, the information identified in Schedule 1 to the 2023 Information Regulations, paragraphs 18, 19, 21 and 22.

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2. In relation to the foreign power who has directed P, the name of the foreign power.
3. The information (or a summary of it) identified in the following paragraphs of Schedule 4 to the 2023 Information Regulations—
 - (a) paragraphs 1, 2, 6, 7(2) and 8(2), and
 - (b) paragraphs 3 to 5 (as applicable).

EXPLANATORY NOTE

(This note is not part of the Regulations)

Part 3 of the National Security Act 2023 (c. *) contains the foreign activities and foreign influence registration scheme (“the scheme”). For the purposes of these Regulations, foreign influence arrangements are required to be registered with the Secretary of State under the scheme (section 68).

The National Security Act 2023 (Foreign Activities and Foreign Influence Registration Scheme: Information) Regulations 2023 set out the information that must be registered, in relation to foreign influence arrangements, with the Secretary of State (in regulation 5 of, and Schedule 4 to, those Regulations).

These Regulations require some, but not all, of that information to be published (regulation 3 of, and the Schedule to, these Regulations), subject to the exceptions provided in regulation 4. Publication must cease—

- one year after registration (for one-off arrangements),
- one year after the anticipated or updated end date (for continuing arrangements), or
- one year after notification of the cessation of the arrangements (in the case of continuing arrangements where there is no anticipated end date at the time of registration).