

Product Security and Telecommunications Infrastructure Bill

AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

Clause 1

BARONESS MERRON
LORD BASSAM OF BRIGHTON
LORD FOX

Page 1, line 7, leave out “may” and insert “must”

Member’s explanatory statement

This amendment strengthens the duty on the Secretary of State to publish regulations introducing security requirements.

BARONESS MERRON
LORD BASSAM OF BRIGHTON

Page 1, line 17, at end insert –

“(2A) The security requirements under subsection (1) must, at a minimum –

- (a) prohibit the setting of universal default passwords,
- (b) restrict the ability to set weak or easily guessable passwords,
- (c) require the publication by manufacturers of reports of known security vulnerabilities, and
- (d) ensure the provision by manufacturers of pre-purchase information detailing the minimum length of time a consumer may expect to receive software or other relevant updates for a product.”

Member’s explanatory statement

This amendment seeks to place certain product security minimum standards, including the prohibition of so-called 'default' passwords, on the face of the Bill.

LORD FOX
LORD CLEMENT-JONES

Page 1, line 17, at end insert –

“(2A) Regulations under this section must, among other things, include security requirements that –

Clause 1 - continued

- (a) prohibit the setting of universal default passwords and the ability to set weak or easily guessable passwords;
 - (b) require the production and maintenance by manufacturers of regular publicly-available reports of security vulnerabilities;
 - (c) ensure the provision of information to the consumer, before the contract for the sale or supply of a relevant connectable product is made, detailing the minimum length of time for which the consumer will receive software or other relevant updates for that product;
 - (d) introduce appropriate minimum periods for the provision of security updates and support, taking into account factors including the reasonable expectations of consumers, the type and purpose of the connectable products concerned and any other relevant considerations.
- (2B) Regulations under this section must include provision that all security requirements specified in accordance with this Act are included as essential requirements in statutory conformity assessments and marking procedures under the Radio Equipment Regulations 2017 (S.I. 2017/1206), and in any other such assessments and procedures applicable to relevant connectable products.”

Member’s explanatory statement

This amendment expressly sets out on the face of the Bill security requirements, which this bill seeks to establish through future regulations, providing specific legal guidance regarding the individual security requirements and obligations on relevant parties.

Clause 7

BARONESS MERRON
LORD BASSAM OF BRIGHTON

Page 5, line 24, at end insert –

“(5A) For the purposes of subsection (5), a person who provides an online facility through which a distributor makes a product available in the United Kingdom is also a distributor.”

Member’s explanatory statement

This amendment brings online marketplaces which allow relevant products to be listed for sale within scope of the security requirements outlined in the Bill.

LORD CLEMENT-JONES
LORD FOX

Page 5, line 24, at end insert –

“(5A) Any person who is a provider of an internet service that allows or facilitates the making by consumers of distance contracts with traders or other consumers for the sale or supply of a relevant connectable product is to be regarded as a distributor for the purposes of this Act, if not a manufacturer or an importer of the product.”

Member’s explanatory statement

This amendment would amend the language of what defines a ‘distributor’ in the scope of this Bill.

After Clause 72

BARONESS MERRON
LORD BASSAM OF BRIGHTON

Insert the following new Clause—

“Local authority nominated persons

Within three months beginning with the day on which this Act is passed, the Secretary of State must lay before Parliament a statement outlining the steps Her Majesty's Government intends to take to ensure local authorities—

- (a) publish the contact details of an officer designated with responsibility for matters pertaining to the exercising of code rights, and
- (b) publish relevant updates to the information provided under paragraph (a) in a timely manner.”

Member's explanatory statement

This amendment is to probe whether the Government is taking any steps to ensure local authorities make the contact details of relevant officers publicly available, in order to assist telecommunications operators and other interested parties.

LORD FOX
LORD CLEMENT-JONES

Insert the following new Clause—

“Duty of network providers in relation to communications infrastructure

- (1) When carrying out relevant work network providers must take all reasonable steps to ensure the work carried out by them (and by any workers under their control) is in compliance with all building safety requirements.
- (2) Network providers must record any relevant work and report it to the building's accountable person as defined by the Building Safety Act 2022.
- (3) In this section “relevant work” means work in relation to the installation, maintenance or removal of infrastructure that is used for the purpose of providing an electronic communications network.”

Member's explanatory statement

This amendment would place a duty on network providers to ensure any work done in relation to communications infrastructure does not compromise building safety.

After Clause 74

BARONESS MERRON
LORD BASSAM OF BRIGHTON

Insert the following new Clause—

“Review of 2017 revisions to the electronic communications code

- (1) Within the period of three months beginning with the day on which this Act is passed, the Secretary of State must undertake a review of the effect of Schedule 1 to the Digital Economy Act 2017 (the electronic communications code).

After Clause 74 - continued

- (2) The review under subsection (1) must, in addition to any other matters the Secretary of State deems appropriate, include consideration of—
 - (a) the extent to which the 2017 revisions have secured progress towards Her Majesty's Government's targets relating to telecommunications infrastructure,
 - (b) the impact of the 2017 revisions on rents under tenancies conferring code rights, and
 - (c) the case for re-evaluating the value of rents under tenancies conferring code rights.
- (3) Upon completion of the review under subsection (1), the Secretary of State must lay a copy of the findings before Parliament.”

Member's explanatory statement

This amendment would require the Secretary of State to undertake a review of the 2017 revisions to the electronic communications code, with a particular emphasis on the effect(s) of the substantially lower rents paid by operators to landowners hosting telecommunications infrastructure.

Insert the following new Clause—

“Application of the Subsidy Control Act 2022 in respect of telecommunications infrastructure

Within three months beginning with the day on which this Act is passed, the Secretary of State must lay before Parliament a statement outlining whether Her Majesty's Government intends to establish a streamlined subsidy scheme under the Subsidy Control Act 2022 in order to facilitate the installation of telecommunications infrastructure.”

Member's explanatory statement

This amendment is to probe whether the Government intends to establish a streamlined subsidy scheme for telecommunications infrastructure, in order to lower the administrative burden for public authorities wishing to subsidise the roll-out of telecommunications infrastructure in their area(s).

LORD FOX

LORD CLEMENT-JONES

Insert the following new Clause—

“Review of the impact of Part 2 on 1 gigabit broadband accessibility

- (1) Within six months of the passing of this Act, the Secretary of State must lay before Parliament a review of the impact of this Part on the Government's progress towards achieving access to 1 gigabit per second broadband in every premises in the United Kingdom by 2025.
- (2) The review must make a recommendation as to whether the Government should bring forward further legislation to achieve access to 1 gigabit per second broadband in every premises in the United Kingdom by 2025 in light of the findings of the review.

After Clause 74 - continued

- (3) The review must in particular look at the impact of this Part on broadband in rural areas.
- (4) The Secretary of State must lay before Parliament a further review in the same terms as subsection (1) every 12 months after the initial review has been laid.”

Member’s explanatory statement

This amendment would require the Government to review the impact of this Bill in achieving access to 1 gigabit per second broadband in every premises in the UK by 2025.

Product Security and Telecommunications Infrastructure Bill

AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

14 June 2022
