

National Security Bill

MARSHALLED LIST OF MOTIONS AND AMENDMENTS TO BE MOVED ON CONSIDERATION OF COMMONS AMENDMENT AND REASON

[The page and line references are to HL Bill 68, the Bill as first printed for the Lords]

MOTION A

LORDS AMENDMENT 22

After Clause 14

22 After Clause 14, insert the following new Clause –

“Foreign interference in elections: duties on political parties

- 5 (1) A UK-registered political party must, within three months of the passing of this Act, publish a policy statement to ensure the identification of donations from a foreign power (whether made directly or through an intermediary), and must keep that policy updated in accordance with guidance issued under subsection (2).
- 10 (2) Within three months of the passing of this Act the Secretary of State must publish guidance on the provisions of this section.
- 15 (3) A UK-registered political party must provide the Electoral Commission with an annual statement of risk management that identifies how risks relating to donations from a foreign power (whether made directly or through an intermediary) have been managed, and what measures have been put in place by the party to such effect.
- (4) In this section, “UK-registered political party” means a political party registered under Part 2 of the Political Parties, Elections and Referendums Act 2000.”

COMMONS REASON

The Commons disagree to Lords Amendment 22 for the following Reason –

22A *Because the law already makes sufficient provision in relation to donations to political parties.*

LORDS NON-INSISTENCE AND AMENDMENT IN LIEU

The Lords do not insist on their Amendment 22, to which the Commons have disagreed for their Reason 22A, and do propose Amendment 22B in lieu –

22B After Clause 14, insert the following new Clause –

“Foreign interference in elections: duties on political parties

- (1) A UK-registered political party must, within three months of the passing of this Act, and annually thereafter, publish a policy statement to ensure the identification of donations from a foreign power (whether made directly or through an intermediary).
- (2) A UK-registered political party must provide the Electoral Commission with an annual statement setting out individually the details of all donations from a foreign power, including whether made directly or through an intermediary (and identifying all such intermediaries).
- (3) In this section, “UK-registered political party” means a political party registered under Part 2 of the Political Parties, Elections and Referendums Act 2000.”

COMMONS REASON

The Commons disagree to Lords Amendment 22B for the following Reason –

22C *Because the law already makes sufficient provision in relation to donations to political parties.*

A **Lord Sharpe of Epsom to move, That this House do not insist on its Amendment 22B, to which the Commons have disagreed for their Reason 22C.**

A1 **Lord Carlile of Berriew to move, as an amendment to Motion A, at end insert “, and do propose Amendment 22D in lieu –**

22D After Clause 14, insert the following new Clause –

“Foreign interference in elections: duties on political parties: review

- (1) Within 3 months of the passing of this Act the Secretary of State must appoint an independent person (“the reviewer”) to carry out a review of the circumstances whereby political parties may receive donations from a foreign power, and of the existing and other proportionate measures required to prevent and reveal such donations.
- (2) The reviewer must include as part of their considerations –
 - (a) whether a UK-registered political party should publish an annual policy statement to ensure the identification of donations from a foreign power (whether made directly or through an intermediary);
 - (b) the extent of due diligence to be applied by a political party to ascertain the ultimate source of donations in order to avoid a donation from a foreign power;

- (c) the appropriate level of cooperation between a political party and the Electoral Commission, and other regulators, with a view to exposing a donation by a foreign power; and
 - (d) the reporting by a political party of its due diligence in relation to donations by or on behalf of foreign powers.
- (3) In this section, “UK-registered political party” means a political party registered under Part 2 of the Political Parties, Elections and Referendums Act 2000.
- (4) The reviewer will be entitled to reasonable remuneration and ancillary support, to be determined by the Secretary of State.”

MOTION B

LORDS AMENDMENT 122

After Clause 89

122 After Clause 89, insert the following new Clause –

“Duty to update the Intelligence and Security Committee of Parliament's memorandum of understanding

- 5 (1) The Prime Minister must ensure that the memorandum of understanding between the Prime Minister and the Intelligence and Security Committee of Parliament (the “ISC”) under section 2 of the Justice and Security Act 2013 (the “MoU”) is revised to reflect any changes to the intelligence or security activities of His Majesty’s Government as a result of this Act.
- 10 (2) Any revisions to the MoU under subsection (1) must be agreed between the Prime Minister and the ISC in accordance with the process set out in section 2 of the Justice and Security Act 2013.
- (3) Any engagement between the Prime Minister and the ISC relating to revisions to the MoU under subsection (1) must commence within the 6-month period beginning with the day on which this Act is passed.”

COMMONS REASON

The Commons disagree to Lords Amendment 122 for the following Reason –

122A *Because section 2 of the Justice and Security Act 2013 already makes sufficient provision in relation to memoranda of understanding.*

LORDS NON-INSISTENCE AND AMENDMENT IN LIEU

The Lords do not insist on their Amendment 122, to which the Commons have disagreed for their Reason 122A, and do propose Amendment 122B in lieu –

122B After Clause 89, insert the following new Clause –

“Duty to review the Intelligence and Security Committee of Parliament's memorandum of understanding

- (1) The Prime Minister must ensure that the memorandum of understanding between the Prime Minister and the Intelligence and Security Committee of Parliament (the “ISC”) under section 2 of the Justice and Security Act 2013 (the “MoU”) is reviewed in the light of any changes to the intelligence or security activities of His Majesty’s Government as a result of this Act.
- (2) Any revisions to the MoU arising as a result of the review under subsection (1) must be agreed between the Prime Minister and the ISC in accordance with the process set out in section 2 of the Justice and Security Act 2013.
- (3) Any engagement between the Prime Minister and the ISC relating to revisions to the MoU arising as a result of the review under subsection (1) must commence within the 6-month period beginning with the day on which this Act is passed.”

COMMONS DISAGREEMENT AND AMENDMENT IN LIEU

The Commons disagree to Lords Amendment 122B but propose Amendment 122C to the Bill in lieu of the Lords Amendment –

122C Page 62, line 13, at end insert the following new Clause –

“Intelligence and Security Committee: memorandum of understanding

- (1) The Prime Minister and the Intelligence and Security Committee of Parliament must consider whether the memorandum of understanding under section 2 of the Justice and Security Act 2013 should be altered (or replaced) to reflect any changes arising out of this Act.
- (2) Consideration under subsection (1) must begin before the end of the period of six months beginning with the day on which this section comes into force.”

B Lord Sharpe of Epsom to move, That this House do not insist on its Amendment 122B and do agree with the Commons in their Amendment 122C in lieu.

B1★ Lord West of Spithead to move, as an amendment to Motion B, at end insert “, and do propose Amendment 122D as an amendment to Amendment 122C –

122D Leave out subsection (2).”

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