

National Security and Investment Bill

AMENDMENT
TO BE MOVED
ON REPORT

Clause 63

LORD FOX
LORD CLEMENT-JONES

Page 37, line 39, at end insert—

- “(6) Before making regulations under section 6(1) the Secretary of State must lay before Parliament—
- (a) the proposed draft of the regulations, and
 - (b) a document which explains the proposed draft regulations.
- (7) Where a proposed draft of the regulations is laid before Parliament under subsection (6), no draft statutory instrument containing the regulations is to be laid before Parliament until after the expiry of the 30-day period.
- (8) The Secretary of State must request a committee of either House whose remit includes industrial strategy, economic affairs, science or technology to report on the proposed draft regulations within the 30-day period.
- (9) In preparing a draft statutory instrument containing the regulations, the Secretary of State must take account of—
- (a) any representations,
 - (b) any resolution of either House of Parliament, and
 - (c) any recommendations of a committee under subsection (8),
- made within the 30-day period with regard to the proposed draft regulations.
- (10) If, after the 30-day period, the Secretary of State wishes to make regulations in the terms of the proposed draft or revised draft regulations, they must lay before Parliament a statement—
- (a) stating whether any representations, resolutions or recommendations were made under subsection (9),
 - (b) giving details of any representations, resolutions or recommendations so made, and
 - (c) explaining any changes made in any revised draft of the regulations.

Clause 63 - continued

- (11) The Secretary of State may make a statutory instrument containing the regulations (whether or not revised) if, after laying a statement under subsection (10), a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament as outlined in subsection (5).
- (12) In this section, reference to “the 30-day period” in relation to any draft regulations is to the period of 30 days beginning with the day on which the initial proposed draft regulations were laid before Parliament.
- (13) For the purposes of subsection (12) no account is to be taken of any time during which Parliament is dissolved or prorogued or during which either House is adjourned for more than four days.”

Member’s explanatory statement

This amendment would introduce the super-affirmative procedure for regulations made under section 6(1).

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26 March 2021
