

# Telecommunications (Security) Bill

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AMENDMENTS  
TO BE MOVED  
ON REPORT

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**Clause 1**

LORD FOX  
LORD CLEMENT-JONES

Page 3, line 22, at end insert—

“(1A) Regulations under subsection (1) may not be made unless a draft has been laid before, and approved by a resolution of, each House of Parliament.”

***Member’s explanatory statement***

*This amendment would require Parliamentary approval before regulations regarding the duty to take specified security measures are made.*

**Clause 2**

LORD CLEMENT-JONES  
LORD FOX

Page 4, line 30, at end insert—

“(7) In making regulations under this section and any code of practice made under section 105E the Secretary of State must take full account of the advice of the Technical Advisory Board established under section 105ZZ1 and of a Judicial Commissioner appointed under section 227 of the Investigatory Powers Act 2016 concerning the proportionality and appropriateness of any measures therein.”

***Member’s explanatory statement***

*This amendment would require the Secretary of State to take into account the advice of the Technical Advisory Board, as established in the amendment in the name of Lord Clement-Jones to insert a new Clause after Clause 14, and a Judicial Commissioner.*

**Clause 13**

LORD CLEMENT-JONES  
LORD FOX

Leave out Clause 13

***Member's explanatory statement***

*This would remove Clause 13 (Appeals against security decisions of OFCOM) from the bill.*

**After Clause 14**

LORD CLEMENT-JONES  
LORD FOX

Insert the following new Clause—

**“Technical Advisory Board**

After section 105Z of the Communications Act 2003 insert—

**“105ZZ1 Technical Advisory Board**

- (1) A Technical Advisory Board must be constituted consisting of such number of persons, appointed by the Secretary of State, as the Secretary of State may by regulations provide.
- (2) The role of the Technical Advisory Board is to advise the Secretary of State on matters relating to telecommunications security.
- (3) The regulations providing for the membership of the Technical Advisory Board must also make provision which is calculated to ensure—
  - (a) that the membership of the Board includes persons likely to represent effectively the interests of persons on whom duties may be imposed by virtue of section 105C, and
  - (b) that such other persons (if any) as the Secretary of State considers appropriate may be appointed to be members of the Board.
- (4) Regulations under this section may also make provision about quorum and the filling of vacancies.
- (5) Any such regulations may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.””

***Member's explanatory statement***

*This amendment makes provisions about the Technical Advisory Board, as referenced in the amendment in the name of Lord Clement-Jones to Clause 2, page 4, line 30.*

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*4 October 2021*

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