

ADVANCED RESEARCH AND INVENTION AGENCY BILL

EXPLANATORY NOTES

What these notes do

These Explanatory Notes relate to the Advanced Research and Invention Agency Bill as introduced in the House of Commons on 12 May 2021 (Bill 1).

- These Explanatory Notes have been provided by the Department for Business, Energy & Industrial Strategy in order to assist the reader of the Bill and to help inform debate on it. They do not form part of the Bill and have not been endorsed by Parliament.
- These Explanatory Notes explain what each part of the Bill will mean in practice; provide background information on the development of policy; and provide additional information on how the Bill will affect existing legislation in this area.
- These Explanatory Notes might best be read alongside the Bill. They are not, and are not intended to be, a comprehensive description of the Bill.

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Overview of the Bill

- 1 The purpose of this Bill is to establish the Advanced Research and Invention Agency (ARIA) as a statutory corporation. ARIA is a new type of funding body for conducting, commissioning and supporting ambitious scientific research with a tolerance to failure. In the previous Parliamentary session, the Bill reached Committee stage in the House of Commons before it was carried over.

Policy background

- 2 In the [December 2019 Queen's Speech briefing notes](#) the Government set out its ambition for “a new approach to funding emerging fields of research and technology” which “will provide long term funding to support visionary high-risk, high-payoff scientific, engineering, and technology ideas, and will complement the UK's existing world class research system.”
- 3 The [UK Research and Development Roadmap](#), published in July 2020, sets out the Government's intention to cement the UK's position as a science superpower. The R&D Roadmap described the Government's plans to invest £800 million in a unique and independent funding body for advanced research, broadly modelled on the US

Advanced Research Projects Agency (ARPA). The creation of ARIA is part of the Government's commitment to invest £14.9 billion in research and development (R&D) in 2021-22 with a view to increasing economy-wide investment in R&D to 2.4% of GDP by 2027.

- 4 As the R&D Roadmap sets out, ARIA will champion bold and transformative R&D which has a high chance of failure but can produce the greatest long-term rewards. ARIA “will back breakthrough technologies and basic research by experimenting with new funding models across long-term time horizons” and “invest in new ideas and empower researchers to deliver radical technological advancements”.
- 5 The Government has engaged individuals and organisations from the UK and international science and technology communities on its proposal to establish ARIA and will continue to seek expert stakeholder input. The Government has taken account of the evidence gathered by the Science and Technology Select Committee (Commons) inquiry into ['A new UK research funding agency'](#).

ARIA model

- 6 ARIA is expected to emulate key features of the US ARPA model tailored to the UK R&D

landscape. This may include:

- a. Organising ambitious research goals around the long-term programmes of work which are led by so-called Programme Managers. Programme Managers facilitate cohesion between individual research projects in pursuit of transformational breakthroughs. Programmes may include basic research through to the creation of prototypes and commercialised technologies.
- b. Significant autonomy for Programme Managers who are able to take advantage of innovative and flexible approaches to programme funding.
- c. A tolerance to failure in pursuit of transformational breakthroughs embedded in its culture. Only a small fraction of ambitious goals will be achieved, however ARIA will provide value from its failures, including spill-over benefits gained from intermediary outputs. For example, a particular goal may not prove technologically viable but in pursuing it, scientists may happen across another promising technology.

Legal background

7 This Bill will sit alongside the following

legislation:

- a. Science and Technology Act 1965. This contains powers for the Secretary of State to fund research carried out by the Secretary of State or others and to set up research councils.
- b. Industrial Development Act 1982. This contains powers for the Secretary of State to provide financial assistance to specific areas of the United Kingdom and to businesses more generally.
- c. Higher Education and Research Act 2017. This established the statutory body United Kingdom Research and Innovation (UKRI) and contains powers for UKRI to carry out or support scientific research, including funding powers.

8 This Bill will complement the existing legislative framework by creating an innovative new body which will have powers to:

- a. carry out, commission, and fund scientific research;
- b. support industry and encourage innovation by developing and exploiting the fruits of that research; and
- c. collect and share scientific knowledge.

and in exercising these powers ARIA has a

discretion to take into account the significant benefits which can be achieved through tolerating a high risk of failure. That failure may be a failure of scientific research or a failure of the development or exploitation of scientific knowledge.

Territorial extent and application

9 Clause 13 sets out the territorial extent of the Bill. The Bill extends and applies to the whole of the United Kingdom. In addition, amendments made by the Bill have the same territorial extent as the legislation that they are amending.

10 Supporting scientific research and development is matter of devolved competence, except where specific reservations exist. Except where those reservations apply, the matters to which the provisions of the Bill relate are within the legislative competence of the Scottish Parliament, Senedd Cymru or the Northern Ireland Assembly, and legislative consent motions are being sought.

11 See the table in Annex A for a summary of the position regarding territorial extent and application in the United Kingdom. The table also summarises the position regarding legislative consent motions and matters

relevant to Standing Orders Nos. 83J to 83X of the Standing Orders of the House of Commons relating to Public Business.

Commentary on provisions of Bill

The Advanced Research and Invention Agency

Clause 1: Establishment of ARIA

12 This clause establishes a body corporate called Advanced Research and Invention Agency which is referred to as “ARIA” in the Bill and Explanatory Notes.

13 Schedule 1 provides detail on how ARIA is structured and how it will operate.

Clause 2: ARIA’s functions

14 This clause states that ARIA may, or commission or support others to, conduct scientific research, develop and exploit scientific knowledge and collect, share, publish and advance scientific knowledge. See Clause 11 (Interpretation) for the meaning of “scientific research” and “scientific knowledge”.

15 Subsection (1)(a) allows ARIA to carry out a literature research review with a view to identifying areas which would benefit from

further scientific exploration or carrying out laboratory work itself, for example. This subsection also allows ARIA to contract or partner with academic or industry teams in connection with conducting ARIA's research programmes.

16 Subsection (1)(b) empowers ARIA to develop and exploit scientific knowledge which will enable it to use scientific research for the purposes of creating prototypes or introducing products to market. ARIA may commission or support others to do the same. ARIA may take an equity stake in a company with which it has partnered to conduct basic research with the intent of bringing a product to market, for example. ARIA may continue to provide technological input after a product has gone to market.

17 Subsection (1)(c) allows ARIA to disseminate scientific knowledge by convening conferences or seminars, publishing academic or other papers for closed or public consumption. ARIA may commission or support others to do the same. These activities may bring people and organisations together which might not otherwise partner for the purpose of advancing scientific knowledge.

18 In exercising its functions to support others, ARIA may convene meetings and

conferences to discuss how research can be progressed. ARIA may also provide financial support including making grants, loans, investments in companies or other entities, or any other payments including prizes. The provision of financial support is subject to any conditions which are attached to grant funding given by the Secretary of State to ARIA under Clause 4. It may also make available rights or other property, for example, a patent that ARIA had obtained. See Paragraph 17 of Schedule 1 for ARIA's supplementary powers.

19 In providing financial support or making property available, it may do so on conditions, including in particular:

- a. that financial support be repaid or made good, for example, where conditions have been breached. ARIA may also require interest to be payable;
- b. that property is restored or returned;
- c. that information is provided to ARIA.

20 In performing the functions in Clause 2, ARIA is not restricted to activities the United Kingdom (UK). However, ARIA must have regard to the desirability of doing so for the benefit of the United Kingdom through:

- a. contributing to economic growth, or an economic benefit, in the UK;

- b. promoting scientific innovation and invention in the UK; or
- c. improving the quality of life in the United Kingdom (or in the United Kingdom and elsewhere).

Clause 3: Ambitious research, development and exploitation: tolerance to failure

- 21 This clause states that in exercising its functions, ARIA's may give particular weight to the potential for significant benefits to be achieved or facilitated through scientific research, or the development and exploitation of scientific knowledge, that carries a high risk of failure.
- 22 ARIA may set highly ambitious research goals which, if achieved, would bring about transformative scientific and technological advances. These advances would yield significant economic and social benefit. These goals may be highly ambitious meaning that it is likely that only a small fraction will be fully realised. The Bill allows ARIA to have a high tolerance to project failure.
- 23 The ambitious research goals may require multi-year programmes of work where pay-back may be highly uncertain and success may not be realised for some years. It is likely that at least a proportion of projects are ones

that would not be undertaken by other bodies. ARIA may fund opportunities which are untested and untried, but best suit its ambitious research goals.

24 In performing these functions, the forms of support undertaken by ARIA may themselves carry high risk, for example, taking equity stake in a start-up company.

25 Although ambitious research goals might not ultimately be achieved, ARIA will take value from project failures, including spillover benefits gained from intermediary outputs. For example, a particular goal may not prove technologically viable but in pursuing it, scientists may happen across another promising technology or develop a new method of data collection.

26 Furthermore, in pursuing highly ambitious research goals, ARIA will be able to bring together high-calibre individuals and bodies from across the public and private sector R&D communities which might not otherwise have been brought together. These connections may endure, spurring future innovation under the leadership of ARIA or others.

Clause 4: Grants to ARIA from the Secretary of State

27 This clause provides the Secretary of State

with a grant funding power in relation to ARIA.

28 The Secretary of State can make grants subject to conditions. In particular, the conditions may require the repayment of financial support with or without payment of interest.

Clause 5: National security directions

29 This clause sets out the Secretary of State's power to direct ARIA where it is necessary or expedient to protect interests of national security. This could take the form of directions generally about the function or directions in a particular case. Regarding the latter, the Secretary of State may direct ARIA to stop certain activities or partnerships in the interests of national security, for example. A direction may be variable or revoked. ARIA must comply with a direction given under this section.

Clause 6: Information

30 ARIA must provide the Secretary of State with information specified for the purposes of or in connection with his functions in relation to ARIA. These include, but are not limited to, national security direction-making powers, the provision of grants to ARIA from the Secretary of State, and Secretary of State appointments of ARIA members.

31 The information provided by ARIA must be provided in a form that is required by the Secretary of State.

32 This clause provides that ARIA is not required to disclose information if it contravenes data protection legislation or where a claim to legal professional privilege could be maintained in legal proceedings.

Clause 7: Transfer schemes

33 This clause introduces Schedule 2, which contains provision about schemes for the transfer of staff and property, rights and liabilities to ARIA.

Clause 8: Power to dissolve ARIA

34 This clause allows the Secretary of State to make provision by regulations for the dissolution of ARIA at any time after the date on which ten years have elapsed since the passing of the Bill. Before making regulations, the Secretary of State must consult ARIA and other persons that the Secretary of State considers appropriate.

35 Subsection (4) makes broad provision as to what the regulations may include. This empowers the Secretary of State to wind up the body completely, for example by transferring assets out of ARIA or extinguishing liabilities held by or owed to

ARIA. This may be useful in the event, for example, that ARIA has continuing contracts for office services. In the event that a person suffers loss or damage as a result of dissolution, the regulations may make provision for the Secretary of State or ARIA to pay compensation to that person.

36 Subsection (6) provides that the regulations may transfer employee rights and liabilities, but this may not affect the operation of the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE).

Consequential amendments

Clause 9: Consequential amendments

37 This clause introduces Schedule 3, which makes consequential amendments.

Clause 10: Power to make consequential provision

38 This clause allows regulations to be made by the Secretary of State to modify legislation, including primary legislation, in consequence of any provision of the Act or the dissolution regulations under Clause 8. This includes a power to make consequential provision, including amending, repealing or revoking legislation. For example, in consequence of the creation of ARIA as a body which does not take the form of a public authority as defined by the Freedom of Information Act 2000,

provision can be made for the application to ARIA of provisions that apply to such bodies.

General

Clause 11: Regulations

39 This clause makes further provision for the scope of the powers to make regulations in Clause 8 and Schedule 1 of the Bill. It also sets out the parliamentary procedures to which the various delegated legislative powers under this Bill are subject. The dissolution of ARIA under Clause 8 and regulations under Clause 10 that amend, repeal or revoke any provision of primary legislation or retained direct principal EU legislation will be subject to affirmative procedure.

Clause 12: Interpretation

40 This clause explains that “functions” includes powers and duties. “Scientific knowledge” and “scientific research” are also defined. The latter has the same meaning as s.6(1) of the Science and Technology Act 1965. These are broad definitions which include the social sciences. The clause also defines “primary” and “secondary” legislation.

Clause 13: Extent

41 This Act extends to England and Wales, Scotland and Northern Ireland.

Clause 14: Commencement

42 See paragraphs 72-73 below.

Clause 15: Short title

43 This clause is self-explanatory.

Schedules

Schedule 1: The Advanced Research and Invention Agency

44 Paragraph 1 sets out that ARIA is separate and distinct from the Crown. ARIA's property does not belong to, nor is being held by ARIA on behalf of, the Crown.

45 Paragraph 2 describes ARIA's membership. Executive members include the Chief Executive Officer, the Chief Financial Officer and between two and five other members. Non-executive members comprise the Chair, the Government Chief Scientific Adviser and such other members which the Secretary of State may appoint. The board must comprise a majority of non-executive members as a matter of good governance.

46 Paragraph 3 explains that executive members are appointed by the chair after consultation with non-executive members. The Secretary of State may refuse consent for the appointment if the Secretary of State considers it necessary or expedient in the interests of

national security. The first Chief Executive Officer is to be appointed by the Secretary of State. This paragraph makes provision requiring executive members to be members of ARIA staff (either employees or secondees).

47 Paragraph 4 explains that the Chief Executive Officer is appointed for a fixed term of not more than five years. A person cannot be appointed as the Chief Executive Officer more than twice.

48 Paragraph 5 state that an executive member ceases to be a member upon ceasing to be a member of ARIA's staff and may resign from office by notifying the chair. The Secretary of State may remove an executive member from office if necessary or expedient in the interests of national security.

49 Paragraph 6 states that, subject to the provisions of Schedule 1, non-executive members may hold and vacate office in accordance with the terms of their appointments. Non-executive members may resign by notifying the Secretary of State. The Secretary of State has authority to remove an executive member on the grounds of continuous period of absence of more than six months without permission, inability or unfitness to carry out the functions of the office, or such other grounds as the Secretary

of State considers appropriate. This paragraph does not apply to the Government Chief Scientific Adviser (GCSA) as an *ex officio* non-executive member.

50 Paragraph 7 sets out that ARIA must pay non-executive members such remuneration as the Secretary of State may determine. ARIA must pay, or make provision for paying, such sums as the Secretary of State may determine in respect of pensions, allowances, expenses or gratuities. The Government Chief Scientific Adviser may be paid allowances and expenses only. Where a person ceases to be a member of ARIA, ARIA must pay compensation of an amount determined by the Secretary of State if he or she determines that the person should be compensated because of special circumstances.

51 Paragraph 8 explains that ARIA may, subject to paragraph 3, appoint employees and make other staffing arrangements as it considers appropriate, including secondments to ARIA. Sub-paragraph (7)(a) provides that the Secretary of State has power to determine those matters relating to the first Chief Executive Officer which are mentioned in sub-paragraphs (2) to (6) including remuneration and terms of employment. Sub-paragraph (7)(b) confers responsibility on the chair to

determine, with the consent of the Secretary of State, after consulting with other non-executive members, matters relating to any other executive members (including future Chief Executive Officers). Sub-paragraph (7)(c) confers responsibility on ARIA to determine, with the consent of the Secretary of State, matters relating to any other employees or secondees who are not members.

52 Paragraph 9 provides ARIA powers to establish committees, which may in turn establish sub-committees. These committees may include persons who are neither members of ARIA nor members of ARIA's staff. ARIA may pay allowances and expenses to any person who is a member of a committee or sub-committee but is not a member of ARIA or a member of ARIA's staff with consent of the Secretary of State.

53 Paragraph 10 allows ARIA to determine its own procedures. It states that the quorum for a meeting of the board is half the number of its members. Paragraph 11 states that the Secretary of State may by regulations make provision about the procedures to be adopted for dealing with conflicts of interests of members of ARIA or members of committees. Paragraph 12 states that the validity of proceedings of ARIA, or a committee or sub-

committee, is not affected by a vacancy or defective appointment.

54 Paragraph 13 enables ARIA to delegate functions to individual members, staff, or committees or sub-committee to the extent and on the terms that it determines.

55 Paragraph 14(1) requires ARIA to maintain financial accounts and clear records in relation to them. It also requires ARIA to prepare a statement of its accounts for each financial year. Sub-paragraph (2) requires that ARIA's annual statement of accounts complies with directions provided by the Secretary of State as related to its contents and form, and methods and principles of preparation. Sub-paragraph (3) requires that copies of the accounts must be sent by ARIA to the Secretary of State and the Comptroller and Auditor General as soon as is practicable after the end of the financial year to which the statement relates. Sub-paragraph (4) requires the Comptroller and Auditor General to examine, certify and report on each statement of accounts and provide a report and certification to the Secretary of State. Sub-paragraph (5) requires the Secretary of State to lay a copy of ARIA's report and certified statement before Parliament.

56 Paragraph 15 requires ARIA to produce a

report on the exercise of its functions during each financial year. The annual report is to be produced and finalised as soon as is practicable after the end of the financial year and sent to the Secretary of State. The Secretary of State is required to lay the report before Parliament.

57 Paragraph 16 sets out that on those occasions where ARIA's seal is being used, its use needs to have been authorised by the signature of a member of ARIA or the signature of another person authorised by ARIA. This provision does not apply if the document signed with the law of Scotland.

58 Paragraph 17 allows ARIA to do anything necessary or expedient for the purpose of, or in connection with, the exercise of its functions. In particular, it allows ARIA to borrow money, acquire and dispose of land, accept gifts, form and participate in partnerships and joint ventures, and form companies. This list is non-exhaustive. These powers may be subject to conditions which are attached to grant funding given by the Secretary of State to ARIA under Clause 4.

59 Paragraph 18 states that references to the GCSA include a person for the time being acting as such. References to staff relate to ARIA employees or those seconded to it. This

paragraph also permits the Secretary of State by regulations to change references to the GCSA in the Schedule in the event that the office of GCSA is renamed or abolished, for example.

60 Paragraph 18 also provides a description of ‘financial year’. The financial year is the period from the date that ARIA is established to the second 31 March following that date. Each subsequent period of 12 months from that point constitutes a new financial year.

Schedule 2: Transfer schemes

61 This Schedule gives the Secretary of State powers to make property transfer schemes and staff transfer schemes to ARIA. Permitted transferors under such a scheme would be the Secretary of State or United Kingdom Research and Innovation (UKRI). Such a scheme may be made at any time.

62 A staff transfer scheme may make provision which is the same as or similar to TUPE.

Schedule 3: Consequential amendments

63 Paragraph 1 inserts “Advanced Research and Invention Agency” at the appropriate place in Part 2 of the Table in paragraph 3 of Schedule 1 to the Public Records Act 1958. This means that any records produced by

ARIA from the moment of its creation should be treated as public records and be subject to the restrictions and principles governing public records.

64 Paragraph 2 inserts “Advanced Research and Invention Agency” at the appropriate place in Schedule 2 to the Parliamentary Commissioner Act 1967. This means that ARIA is listed as one of the bodies that can be subject to investigation by the Parliamentary Commissioner for Administration (Parliamentary Ombudsman); the body that is responsible for investigating the administrative actions of central government departments and public authorities.

65 Paragraph 3 inserts “Advanced Research and Invention Agency” at the appropriate place in Part 2 of Schedule 1 to the House of Commons Disqualification Act 1975. The Act prohibits certain categories of people from becoming members of the House of Commons, and the provision therefore means that members of ARIA and members of ARIA staff, committees and sub-committees are prohibited from becoming members of the House of Commons and vice versa.

66 Paragraph 4 inserts “Advanced Research and Invention Agency” at the appropriate place in Part 2 of Schedule 1 to the Northern Ireland

Assembly Disqualification Act 1975. The Act prohibits certain categories of people from becoming members of the Northern Ireland Assembly, and the provision therefore means that members of ARIA and members of ARIA staff, committees and sub-committees are prohibited from becoming members of the Northern Ireland Assembly and vice versa.

67 The effect of the amendments made by paragraph 5 to Part 2 of Schedule 5 to the Scotland Act 1998 is to provide that matters relating to ARIA are reserved.

68 The effect of the amendments made by paragraph 6 to Schedule 3 to the Northern Ireland Act 1998 is to provide that matters relating to ARIA are reserved.

69 The effect of the amendments made by paragraphs 7 to 9 to Schedule 3A and Part 2 of Schedule 7A to the Government of Wales Act 2006 is to provide that matters relating to ARIA are reserved.

70 Paragraph 10 inserts “Advanced Research and Invention Agency” at the appropriate place in Part 1 of Schedule 19 to the Equality Act 2010 under the heading “Industry, business, finance etc”, thus making ARIA a body subject to the provisions of that Act.

71 Paragraph 11 amends the definition of

“contracting authority” of the Public Contracts Regulations 2015 and the Public Contracts (Scotland) Regulations 2015 to exclude ARIA. This means that the obligations in these regulations which apply to a contracting authority will not apply to ARIA.

Commencement

72 Clause 14 makes provision about the coming into force of the provisions of this Bill.

73 The majority of the provisions of this Bill will come into force by commencement regulations. Some exceptions are set out in subsection (2): these provisions will come into force on the day on which the Bill is passed.

Financial implications of the Bill

74 Clause 4 provides the Secretary of State with a grant funding power in relation to ARIA. Expenditure is to fall on the Consolidated Fund out of monies to be provided by Parliament through the Supply Estimates. At the [Spending Review 2020](#), the Government provided funding for an “£800 million investment by 2024-25 in high-risk, high-payoff research.”

75 Clause 8(4)(f) contains a provision for the Secretary of State pay compensation to any person who suffers loss or damage resulting from the dissolution of ARIA.

Parliamentary approval for financial costs or for charges imposed

- 76 A money resolution is required for the Bill. A money resolution is required where a bill authorises new charges on the public revenue - broadly speaking, new public expenditure.
- 77 There may be public expenditure by the Secretary of State under Clause 4, which provides a power for the Secretary of State to make grants to ARIA, and under clause 8(4)(f), which contains a provision for the Secretary of State to pay compensation to any person who suffers loss or damage as a result of the dissolution of ARIA.
- 78 The money resolution passed on 23 March continues to apply to the Bill.
- 79 No ways and means resolution is required for the Bill, because the Bill does not authorise any new taxation or other similar charges.

Compatibility with the European Convention on Human Rights

- 80 The Government considers that the ARIA Bill is compatible with the European Convention on Human Rights (ECHR). Accordingly, the Secretary of State for Business, Energy and Industrial Strategy has made a statement under section 19(1)(a) of

the Human Rights Act 1998 to this effect.

Related documents

81 The following documents are relevant to the Bill and can be read at the stated locations:

- Higher Education and Research Act 2017,
<https://www.legislation.gov.uk/ukpga/2017/29/contents/enacted>
- Science & Technology Act 1965,
<https://www.legislation.gov.uk/ukpga/1965/4>
- UK Research and Development Roadmap,
<https://www.gov.uk/government/publications/uk-research-and-development-roadmap>
- The Queen's Speech December 2019 Background Briefing Notes,
<https://www.gov.uk/government/publications/queens-speech-december-2019-background-briefing-notes>
- Science and Technology Select Committee (Commons) inquiry into 'A new UK research funding agency',
<https://committees.parliament.uk/work/265/a-new-uk-research-funding-agency/>
- Advanced Research and Invention

Agency: Policy Statement,

<https://www.gov.uk/government/publications/advanced-research-and-invention-agency-aria-statement-of-policy-intent/advanced-research-and-invention-agency-aria-policy-statement>

Annex A - Territorial extent and application in the United Kingdom

The Bill extends and applies to England and Wales, Scotland and Northern Ireland.¹

Provision	Extends to E & W and applies to England?	Extends to E & W and applies to Wales?	Extends and applies to Scotland?	Extends and applies to Northern Ireland?	Would corresponding provision be within the competence of the Senedd Cymru?	Would corresponding provision be within the competence of the Scottish Parliament?	Would corresponding provision be within the competence of the Northern Ireland Assembly?	Legislative Consent Motion process engaged?
Clauses 1-4, 6-8, 10-12	Yes	Yes	Yes	Yes	N/A	N/A	N/A	Yes (S, NI, W)
Clauses 5, 13-15	Yes	Yes	Yes	Yes	N/A	N/A	N/A	No

¹ References in this Annex to a provision being within the legislative competence of the Scottish Parliament, Senedd Cymru or the Northern Ireland Assembly are to the provision being within the legislative competence of the relevant devolved legislature for the purposes of Standing Order No. 83J of the Standing Orders of the House of Commons relating to Public Business.

Provision	Extends to E & W and applies to England?	Extends to E & W and applies to Wales?	Extends and applies to Scotland?	Extends and applies to Northern Ireland?	Would corresponding provision be within the competence of the Senedd Cymru?	Would corresponding provision be within the competence of the Scottish Parliament?	Would corresponding provision be within the competence of the Northern Ireland Assembly?	Legislative Consent Motion process engaged?
Schedule 1, 2	Yes	Yes	Yes	Yes	N/A	N/A	N/A	Yes (S, NI, W)
Clause 9								
Paras 1-4, Sch. 3	Yes	Yes	Yes	Yes	N/A	N/A	N/A	No
Para 5, Sch. 3	Yes	Yes	Yes	Yes	N/A	N/A	N/A	Yes (S)
Para 6, Sch. 3	Yes	Yes	Yes	Yes	N/A	N/A	N/A	Yes (NI)
Paras 7-9, Sch. 3	Yes	Yes	No	Yes	N/A	N/A	N/A	Yes (W)
Para 10, Sch. 3	No	No	Yes	No	N/A	N/A	N/A	No
Para 11(1), Sch. 3								No
Para 11(2), Sch. 3								Yes (S)

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