

Telecommunications (Security) Bill

AMENDMENTS TO BE MOVED IN GRAND COMMITTEE

Clause 1

LORD FOX
LORD CLEMENT-JONES

Page 1, line 15, leave out “anything” and insert “a security issue”

Member’s explanatory statement

This amendment, along with similar amendments to Clause 1 in the name of Lord Fox, seeks to narrow the scope of the definition of "security compromise".

Page 1, line 20, leave out “anything” and insert “a security issue”

Member’s explanatory statement

This amendment, along with similar amendments to Clause 1 in the name of Lord Fox, seeks to narrow the scope of the definition of "security compromise".

Page 1, line 20, after “confidentiality” insert “and integrity”

Member’s explanatory statement

This amendment, along with similar amendments to Clause 1 in the name of Lord Fox, seeks to narrow the scope of the definition of "security compromise".

Page 1, line 22, leave out “anything” and insert “a security issue”

Member’s explanatory statement

This amendment, along with similar amendments to Clause 1 in the name of Lord Fox, seeks to narrow the scope of the definition of "security compromise".

Page 2, line 2, leave out sub-paragraph (ii)

Member’s explanatory statement

This amendment, along with similar amendments to Clause 1 in the name of Lord Fox, seeks to narrow the scope of the definition of "security compromise".

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 3

LORD FOX

LORD CLEMENT-JONES

Page 5, line 12, at end insert –

“(d) must ensure that the code of practice is necessary and proportionate to what it intends to achieve and does not place an undue burden on any electronic communications networks or electronic communications services.”

Member’s explanatory statement

This amendment seeks to ensure codes of practice are necessary and proportionate.

Clause 4

BARONESS MERRON

Page 7, line 26, at end insert “within 30 days”

LORD CLEMENT-JONES

Page 7, line 38, at end insert –

“(4) The provider of the network or service is not required to inform users of a significant risk of a security compromise should it be reasonably considered by the operator, following agreement with OFCOM, that such steps would increase the likelihood of that, or another, security compromise occurring, or if the provider of the network or service has taken reasonable and proportionate steps to mitigate the significant risk of a security compromise.”

Member’s explanatory statement

This amendment makes further provision about the duty to inform users of a risk of security compromise.

Page 9, line 31, at end insert –

“(10) Prior to informing others of a security compromise or risk of a security compromise, OFCOM must consult the provider in question, where reasonably practicable to do so, on the timing and content of the information to be provided to others.”

Member’s explanatory statement

This amendment makes further provision about the duty to inform users of a risk of security compromise.

Clause 5

LORD CLEMENT-JONES

Page 9, line 38, at beginning insert “Subject to the requirements of sections 3 and 6 in regard to carrying out and reviewing its functions,”

Member’s explanatory statement

This amendment, and the amendments in the name of Lord Clement-Jones to Clauses 6 and 19, seek to ensure that these new powers for OFCOM are subject to requirements in the 2003 Act regarding carrying out and reviewing its functions.

Clause 6

LORD CLEMENT-JONES

Page 10, line 3, at beginning insert “Subject to the requirements of sections 3 and 6 in regard to carrying out and reviewing its functions,”

Member’s explanatory statement

See explanatory statement for the amendment in the name of Lord Clement-Jones to Clause 5, page 9, line 38.

Clause 13

LORD CLEMENT-JONES

Lord Clement-Jones gives notice of his intention to oppose the Question that Clause 13 stand part of the Bill.

Clause 19

LORD CLEMENT-JONES

Page 33, line 12, at end insert –

“(8A) The duties performed and powers exercised by OFCOM under this section are subject to the requirements of sections 3 and 6.”

Member’s explanatory statement

See explanatory statement for the amendment in the name of Lord Clement-Jones to Clause 5, page 9, line 38.

After Clause 25

LORD CLEMENT-JONES

Insert the following new Clause –

“Oversight by the Investigatory Powers Commissioner

(1) The Investigatory Powers Act 2016 is amended as follows.

(2) After section 229(3)(j) insert –

“(k) the exercise by the Secretary of State of functions under section 105 of the Communications Act 2003”.

Member's explanatory statement

This amendment would give the Investigatory Powers Commissioner oversight of the power given to the Secretary of State in this bill to outlaw the use of individual vendors.

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