

Advanced Research and Invention Agency Bill

MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
ON REPORT

[Amendments marked ★ are new or have been altered]

Amendment
No.

Clause 2

LORD BROWNE OF LADYTON
BARONESS CHAPMAN OF DARLINGTON
LORD MORSE
LORD CLEMENT-JONES

- 1 Page 2, line 6, at end insert –
- “(ba) financial support provided by ARIA may be treated as convertible to equity interest in the business entity which has received such support;
 - (bb) for a period of ten years after ARIA has provided financial support, or made property available, the business entity which has received such support must obtain the consent of ARIA before –
 - (i) transferring specified intellectual property rights from the United Kingdom to any territory outside the United Kingdom, or
 - (ii) selling or otherwise transferring a controlling interest in that entity to another entity not resident in the United Kingdom;”

Member’s explanatory statement

This amendment would enable ARIA to make it a condition of the provision of financial support to a business that it is convertible into an equity interest in the business and that, for 10 years after ARIA has provided financial support, or made property available, the business requires the consent of ARIA either to transfer abroad intellectual property rights or to sell or transfer a controlling interest in that business to another business not resident in the United Kingdom.

LORD LANSLEY
LORD BROWNE OF LADYTON
LORD BROERS
VISCOUNT STANSGATE

- 2 Page 2, line 6, at end insert –
- “(ba) intellectual property is to be retained or vested in ARIA;

Clause 2 - continued

- (bb) rights held by the beneficiaries of financial support may not be sold or assigned without ARIA's approval;"

Member's explanatory statement

This amendment would enable ARIA to protect the IP created by its financial support .

LORD LANSLEY
LORD BROERS

- 3 Page 2, line 15, after "invention" insert "and technological advances"

Member's explanatory statement

This amendment would include technological advances in the UK among the benefits which ARIA should seek to promote.

LORD RAVENSDALE
LORD BROWNE OF LADYTON
LORD OATES
BARONESS CHAPMAN OF DARLINGTON

- 4 Page 2, line 18, at end insert –

“(7) In exercising its functions ARIA must give due consideration to the following –

- (a) compliance with the duty imposed by section 1 of the Climate Change Act 2008 (UK net zero emissions target),
- (b) adaptation to climate change, or
- (c) meeting other environmental goals (such as restoration or enhancement of the natural environment).”

Member's explanatory statement

This amendment seeks to include the UK's net zero target and environmental goals as matters which ARIA must give due consideration to when exercising its functions.

BARONESS BENNETT OF MANOR CASTLE
As an amendment to Amendment 4

- 5 At end insert –

“(d) meeting Sustainable Development Goals 1 (no poverty), 2 (zero hunger) and 3 (good health and wellbeing).”

LORD CLEMENT-JONES
LORD FOX
BARONESS CHAPMAN OF DARLINGTON
VISCOUNT STANSGATE

- 6 Page 2, line 18, at end insert –

“(7) ARIA is a public authority within the meaning of section 3 of the Freedom of Information Act 2000, and Schedule 1 to that Act is amended accordingly.”

Member's explanatory statement

This amendment would subject ARIA to Freedom of Information requests.

LORD CLEMENT-JONES
LORD FOX
BARONESS CHAPMAN OF DARLINGTON

7 Page 2, line 18, at end insert –

“(7) ARIA is a central government authority within the meaning of regulation 2(1) of the Public Contracts Regulations 2015, and Schedule 1 to those Regulations is amended accordingly.”

Member’s explanatory statement

This amendment would subject ARIA to procurement rules under the Public Contracts Regulations 2015.

Clause 4

LORD LANSLEY
LORD RAVENSDALE
LORD BROWNE OF LADYTON
LORD BROERS

8 Page 2, line 29, at end insert –

“(4) The conditions must include provision under which revenues derived from the exploitation of intellectual property created resulting from ARIA’s financial support may be retained by ARIA or paid to the Secretary of State.”

Member’s explanatory statement

This amendment would require the Secretary of State grants to ARIA to provide for the treatment of revenues from the exploitation of IP created by ARIA’s projects.

Clause 8

LORD CLEMENT-JONES
LORD FOX

9 Leave out Clause 8

After Clause 8

LORD DAVIES OF BRIXTON

10★ Insert the following new Clause –

“Report on ARIA’s progress

- (1) The Secretary of State must, within the period of six years beginning with the day on which this Act is passed, commission an independent report on the lessons that can be learnt in order to inform subsequent scientific research funding in the United Kingdom.
- (2) The report must be laid before Parliament within the period of seven years beginning with the day on which this Act is passed.”

Member’s explanatory statement

The purpose of this amendment is to require that a timely review be undertaken of its progress and the lessons that can be learnt from the experience of establishing and running the Agency, to inform future research funding.

VISCOUNT STANSGATE

11★ Insert the following new Clause—

“Interim review of ARIA

- (1) Within five years of the date on which this Act is passed, the Secretary of State must undertake a review of ARIA and its operations.
- (2) The review under subsection (1) must include an assessment of—
 - (a) the extent to which ARIA has, whether acting alone or jointly with others, fulfilled the functions listed in section 2(1),
 - (b) whether projects undertaken or funded by ARIA are achieving value for money,
 - (c) the geographical spread of grants awarded by ARIA, and
 - (d) the operation of transparency measures and whether further measures are required.
- (3) Upon completion of the review, the Secretary of State must make arrangements for the contents of the review, including any recommendations arising from it, to be laid before and approved by both Houses of Parliament.”

Member’s explanatory statement

To enable Parliament to review the work of ARIA after its initial five years.

Clause 11

LORD CRAIG OF RADLEY
LORD BROWNE OF LADYTON
LORD CLEMENT-JONES
VISCOUNT STANSGATE

12 Page 5, line 2, after “social” insert “and mathematical”

VISCOUNT HANWORTH

13 Page 5, line 3, at end insert “and pure and applied mathematics”

LORD CRAIG OF RADLEY
LORD BROWNE OF LADYTON
LORD CLEMENT-JONES
VISCOUNT STANSGATE

14 Page 5, line 5, after “social” insert “and mathematical”

Schedule 1

BARONESS NOAKES

15 Page 6, line 18, leave out “five” and insert “four”

16 Page 7, line 36, leave out paragraph (a)

Schedule 1 - continued

LORD MORSE
 BARONESS CHAPMAN OF DARLINGTON
 LORD BROWNE OF LADYTON

17★ Page 8, line 41, at end insert –

“Employment of those who have benefitted from ARIA

8A(1) A person who is –

(a) employed by ARIA’s sponsoring or supervisory department,
 and

(b) part of the relevant team within the department,

may not, for a period of five years after terminating their contract with the department, be employed by any organisation that has received financial support from ARIA.

(2) A person employed by ARIA may not be employed, for a period of five years after they have terminated their contract with ARIA, by –

(a) any organisation that has received financial support from ARIA,
 or

(b) any organisation that has acquired intellectual property of exploitation rights over the product of research that has been funded, or supported, in whole or in part, by ARIA.

(3) A person falling within subparagraph (1) or (2), including those employed directly or through a connected person as defined in 839 of the Income and Corporation Taxes Act 1988, section 286 of the Taxation and Chargeable Gains Tax Act 1992, and section 270 of the Inheritance Tax Act 1984, may not become the owner of a proprietary interest in any body that has been supported or assisted by ARIA by grant, loan, or any other means, or that owns intellectual property that has been supported.”

BARONESS NOAKES

18 Page 9, line 10, at end insert “provided that a majority of those members are non-executive members”

LORD RAVENSDALE
 LORD BROWNE OF LADYTON
 LORD OATES

BARONESS CHAPMAN OF DARLINGTON

19 Page 10, line 7, at end insert –

“ESG Strategy

15A ARIA is expected to develop its own environmental and social governance (“ESG”) strategy to consider the impacts of the exercise of its functions and the projects which it funds.”

Member’s explanatory statement

This amendment provides for ARIA to develop an ESG Strategy.

BARONESS NOAKES

20 Page 10, line 22, after “may” insert “with the agreement of the Secretary of State”

LORD LANSLEY
LORD BROERS

21 Page 10, line 24, at end insert “or other property”

Member’s explanatory statement

This amendment would extend ARIA’s powers to include the acquisition or disposal of tangible and intangible property.

22 Page 10, line 24, at end insert –
“(ba) acquire, retain, assign, license or dispose of intellectual property and related rights,”

Member’s explanatory statement

This amendment would make it clear that ARIA will have the power to acquire, retain, assign, license or dispose of IP and associated rights.

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10 December 2021
