



# National Security Act 2023

## 2023 CHAPTER 32

### PART 4

#### FOREIGN ACTIVITIES AND FOREIGN INFLUENCE REGISTRATION SCHEME

##### *Information*

#### 74 Registration information

- (1) The Secretary of State may by regulations make provision about the information a person is required to provide to the Secretary of State when registering—
  - (a) a foreign activity arrangement under [section 65](#),
  - (b) a relevant activity under [section 68](#),
  - (c) a foreign influence arrangement under [section 69](#), or
  - (d) a political influence activity under [section 72](#).
- (2) Regulations under [subsection \(1\)](#) may, in particular, require the person to provide information about any arrangements made by the person pursuant to the arrangement or activity which is required to be registered.
- (3) Regulations under [subsection \(1\)\(c\)](#) may, in particular, require the person to provide information about any political influence activities carried out, or arranged to be carried out, during the registration period by any person pursuant to the arrangement which is required to be registered.
- (4) In [subsection \(3\)](#) “registration period” has the same meaning as in [section 71](#).
- (5) Where there is a material change to any information provided to the Secretary of State under [this section](#) or [section 75](#) in relation to a registered arrangement or a registered activity, the person who registered the arrangement or activity must inform the Secretary of State of the change before the end of the period of 14 days beginning with the day on which the change takes effect.
- (6) The Secretary of State—

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- (a) may by regulations make provision about the information to be provided to the Secretary of State under [subsection \(5\)](#),
  - (b) may issue guidance about what may or may not constitute a material change.
- (7) The provision which may be made by regulations under this section includes provision about the form in which information is to be provided.
- (8) A person who fails to comply with [subsection \(5\)](#) commits an offence if, as a result of the failure, the information provided to the Secretary of State in relation to the registered arrangement or registered activity is false, inaccurate or misleading in a material way.

## 75 Information notices

- (1) The Secretary of State may give an information notice to—
- (a) a person who is a party to a foreign activity arrangement registered under [section 65](#);
  - (b) a person the Secretary of State reasonably believes to be a party to a foreign activity arrangement which is required to be, but is not, registered under that section;
  - (c) a person the Secretary of State reasonably believes to be carrying out relevant activities, or arranging for relevant activities to be carried out, in the United Kingdom pursuant to a foreign activity arrangement within paragraph (a) or (b);
  - (d) a person who has registered relevant activities under [section 68](#);
  - (e) a person the Secretary of State reasonably believes to be carrying out relevant activities registered under that section;
  - (f) a person the Secretary of State reasonably believes to be carrying out relevant activities in breach of a prohibition in that section.
- (2) The Secretary of State may give an information notice to—
- (a) a person who is a party to a foreign influence arrangement registered under [section 69](#);
  - (b) a person the Secretary of State reasonably believes to be a party to a foreign influence arrangement which is required to be, but is not, registered under that section;
  - (c) a person the Secretary of State reasonably believes to be carrying out political influence activities, or arranging for political influence activities to be carried out, in the United Kingdom pursuant to a foreign influence arrangement within paragraph (a) or (b);
  - (d) a person who has registered political influence activities under [section 72](#);
  - (e) a person the Secretary of State reasonably believes to be carrying out political influence activities registered under that section;
  - (f) a person the Secretary of State reasonably believes to be carrying out political influence activities in breach of a prohibition in that section.
- (3) An information notice is a notice requiring the person to whom it is given to supply the information specified in the notice.
- (4) An information notice may only specify information which the Secretary of State considers may be relevant to an arrangement or activity within [subsection \(1\)](#) or [\(2\)](#).

- (5) An information notice must—
  - (a) specify the form in which the information must be supplied, and
  - (b) specify the date by which the information must be supplied.
- (6) Where an information notice has been given to a person, the Secretary of State may cancel it by giving written notice to that effect to the person.
- (7) The Secretary of State may by regulations make provision about—
  - (a) the minimum period between the date on which an information notice is given and the date specified under [subsection \(5\)\(b\)](#);
  - (b) other matters which may be specified in an information notice;
  - (c) the cancellation of information notices.
- (8) A person commits an offence if, without reasonable excuse, the person fails to comply with an information notice.
- (9) The Secretary of State may not give an information notice to a foreign power.

## **76 Confidential material**

- (1) Nothing in [this Part](#) is to be taken to require any person to disclose any information that the person is entitled to refuse to disclose in legal proceedings on grounds of legal professional privilege (in Scotland, confidentiality of communications).
- (2) Nothing in this Part is to be taken to require any person to disclose confidential journalistic material or to identify or confirm a source of journalistic information.
- (3) In this section—
  - “confidential journalistic material” has the same meaning as in section 264 of the Investigatory Powers Act 2016;
  - “source of journalistic information” has the same meaning as in section 263 of that Act.

## **77 Offence of providing false information**

- (1) A person commits an offence if—
  - (a) the person provides information to the Secretary of State under [section 74](#) or [75](#) in connection with a foreign activity arrangement, and
  - (b) the information is false, inaccurate or misleading in a material way.
- (2) A person commits an offence if—
  - (a) the person provides information to the Secretary of State under [section 74](#) or [75](#) in connection with a relevant activity which is required to be registered under [section 68](#), and
  - (b) the information is false, inaccurate or misleading in a material way.
- (3) A person commits an offence if—
  - (a) the person provides information to the Secretary of State under [section 74](#) or [75](#) in connection with a foreign influence arrangement,
  - (b) the information is false, inaccurate or misleading in a material way, and

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- (c) the person knows, or having regard to other matters known to them ought reasonably to know, that the information is false, inaccurate or misleading in a material way.
- (4) A person commits an offence if—
- (a) the person provides information to the Secretary of State under [section 74](#) or [75](#) in connection with a political influence activity which is required to be registered under [section 72](#),
  - (b) the information is false, inaccurate or misleading in a material way, and
  - (c) the person knows, or having regard to other matters known to them ought reasonably to know, that the information is false, inaccurate or misleading in a material way.

## **78 Offence of carrying out activities under arrangements tainted by false information**

- (1) A person commits an offence if—
- (a) the person carries out a relevant activity, or arranges for a relevant activity to be carried out, in the United Kingdom pursuant to a foreign activity arrangement required to be registered under [section 65\(4\)](#),
  - (b) information provided to the Secretary of State under [section 74](#) or [75](#) in connection with the arrangement, whether by the person or by another person, is false, inaccurate or misleading in a material way, and
  - (c) the person knows, or having regard to other matters known to them ought reasonably to know, that the facts are as mentioned in [paragraph \(b\)](#).
- (2) A person commits an offence if—
- (a) the person carries out a political influence activity, or arranges for a political influence activity to be carried out, in the United Kingdom pursuant to a foreign influence arrangement required to be registered under [section 69\(3\)](#),
  - (b) information provided to the Secretary of State under [section 74](#) or [75](#) in connection with the arrangement, whether by the person or by another person, is false, inaccurate or misleading in a material way, and
  - (c) the person knows, or having regard to other matters known to them ought reasonably to know, that the facts are as mentioned in [paragraph \(b\)](#).

## **79 Publication and disclosure of information**

- (1) The Secretary of State may by regulations make provision about—
- (a) publication of information provided to the Secretary of State under [section 74](#) or [75](#);
  - (b) the disclosure of information provided to the Secretary of State under either of those sections.
- (2) The power under [subsection \(1\)\(a\)](#) includes in particular power to make provision about a description of information or material which is not to be published.