

Foreign Influence Registration Scheme to make clandestine political activity illegal

For the first time, new legislation will compel those acting for a foreign power or entity to declare political influencing activity – and criminalise those who do not.

This change is being brought about by the Foreign Influence Registration Scheme (FIRS), which has been introduced to the UK Parliament via an amendment to the National Security Bill.

The bill brings in vital new measures to protect our national security and modernise existing counter-espionage laws to tackle covert influence.

The new scheme will increase the transparency of political influencing activity being carried out for a foreign power or entity; help safeguard UK democratic institutions from covert influence; and better inform us as to the nature, scale, and extent of foreign influence in our political affairs.

The public register will exist on a government website for political influence activities.

Tom Tugendhat, Security Minister, said:

Unfortunately, there are people working in secret to undermine the UK's democracy and cause harm to our citizens.

For years I have advocated for the establishment of a foreign influence registration scheme to deter foreign powers from pursuing their pernicious aims through the covert use of agents and proxies.

I am delighted that the scheme we are introducing will help ensure our political affairs are protected, whilst embracing open and transparent engagement with foreign governments and entities which we continue to welcome.

Ken McCallum, Director General of the Security Service (MI5), said:

The UK is in strategic contest with states that seek to undermine our national security, democratic institutions and commercial advantage at an unprecedented scale. We need new, modern tools and powers to defend ourselves, proportionately but firmly.

Alongside the other vital measures introduced in the National Security Bill, the new Foreign Influence Registration Scheme will

make it harder – and riskier – to operate covertly in the UK at the behest of a foreign power. It will also increase openness and transparency around the scale of foreign influence in our political affairs and make it harder for our adversaries to undermine our democracy. The Foreign Influence Registration Scheme is a modern power designed to tackle a modern threat, and I welcome its inclusion in the National Security Bill.

The scheme will be 2-tiered.

The primary tier will require the registration of political influence activities within the UK at the direction of a foreign power or entity. The person would need to declare who they are in an arrangement with, what activity they have been directed to undertake, and when the arrangement was made. They must do this within 10 days of the direction, or in any case, before the activity is carried out. Foreign entities will also be required to register their own political influence activities before carrying them out.

Notable exceptions to those who would need to register include those working for a foreign power in their official capacity, those with diplomatic immunity, those who provide legal services, those working for domestic and foreign news publishers and those in an arrangement to which the UK government, or someone acting for or on behalf of the Crown is party.

The penalty for failing to register, carrying out activities that aren't registered, providing false or misleading information or any other foreign influence offence is a maximum of 2 years' imprisonment, a fine or both.

The enhanced tier allows the Home Secretary to specify a foreign power or foreign power-controlled entity where necessary to protect the safety or interests of the UK, and with parliamentary approval, make it an offence for anyone to carry out any activity in the UK at their direction without it being registered. There is no restriction on which states could be named, to enable the UK to respond to emerging threats from any foreign power. The penalty for these offences is up to 5 years' imprisonment, a fine or both.

Further powers added to the bill include those to protect UK interests from corrupt financial influence, covered by 'Powers of arrest and detention.' This will give investigators powers to monitor a suspect's account in real-time; identify accounts held by suspects in UK financial institutions; and compel individuals or organisations to provide relevant information, produce documents and/or answer questions in relation to an investigation into foreign power threat activity. Obtaining a material benefit from a foreign intelligence service will also be made an offence.

The National Security Bill is currently passing through Parliament.