



Home Office

# **Draft Guidance on the Foreign Influence Registration Scheme (FIRS)**

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## Introduction to the scheme

1. The Foreign Influence Registration Scheme (FIRS) is a two-tier scheme which enables transparency of foreign influence in UK politics and provides greater assurance around the activities of certain foreign powers or entities that may pose a risk to the UK's safety and interests. It is contained within Part 4 of the National Security Act 2023.

## The scheme's requirements

2. FIRS requires individuals or entities who have formed certain types of arrangements with foreign powers, or who carry out particular types of activities for, or under the direction of, certain specified entities, to register certain information on an online portal. There will be no fee required to register.
3. The two tiers of FIRS impose two distinct requirements:
  - The **political influence tier** requires individuals or entities to register where they are directed by a foreign power to carry out, or arrange for others to carry out, political influence activities in the UK.
  - The **enhanced tier** requires registration of a broader range of activity where a person is acting at the direction of specified foreign powers or entities that have been assessed as posing a potential risk to UK safety or interests. It also requires specified entities to register activities which they carry out themselves in the UK. To come within scope of the enhanced tier, a foreign power or entity must be specified in regulations.
4. Certain information registered will be available on a public register.

## Exemptions

5. There are a number of exemptions from registration. The Secretary of State also has a power to create additional exemptions through regulations.
6. Any arrangement with the Republic of Ireland is exempt from registration.
7. Foreign powers, diplomatic family members, lawyers carrying out legal activities, news publishers, and those acting pursuant to an arrangement to which the UK is a party, are exempt from registration under the political influence tier.
8. Foreign powers, diplomatic family members, those providing essential services to a diplomatic mission or consulate, lawyers carrying out legal activities and those acting pursuant to an arrangement to which the UK is a party, are exempt from registration under the enhanced tier.

## Enforcement

9. The FIRS scheme management unit within the Home Office is responsible for administration of the scheme. This includes the power to issue information notices to registrants or to individuals or entities who are believed to be party to, or acting pursuant to, a registerable arrangement.

## **Offences**

10. The scheme contains a number of offences, including for those who fail to comply with registration requirements, or fail to respond to information notices. Where registration requirements have not been met, there are also offences for those who carry out activities pursuant to a relevant arrangement. Where it is believed that a criminal offence has taken place, the relevant information will be passed onto law enforcement.

## **Sector-specific guidance**

11. [Consultation panels, composed of representatives from different sectors including the research, academia, and higher education sector, will support the development of sector-specific guidance. This will accompany this general guidance, and be published ahead of the scheme going live.]

# The Political Influence Tier

## Introduction

12. The political influence tier aims to increase transparency of foreign power influence in UK political affairs. This tier requires registration of arrangements to carry out political influence activities in the UK at the direction of a foreign power. It applies to arrangements with all foreign powers except the Republic of Ireland.
13. The information provided at registration is important in providing a clear picture of foreign power-directed political influence to the UK Government and public.
14. The UK continues to welcome open and transparent engagement from foreign powers. Registration of an arrangement does not necessarily mean that is illegitimate or that the political influence activities taking place as part of it are undesirable.

## Requirements

15. You are required to register when **all** of the below four conditions are met.

### **Conditions for registration**

**Condition 1:** You make an arrangement (whether formal or informal) with a [“foreign power”](#)

**Condition 2:** The arrangement involves a [“direction”](#) from the foreign power.

**Condition 3:** The direction is to carry out [“political influence activities”](#) in the UK (whether by yourself, or with or through someone else)

**Condition 4:** No [exemptions](#) apply to the arrangement or activities.

16. Registration of ‘foreign influence arrangements’ must take place within 28 days, beginning on the day the arrangement is made. For example, if an arrangement is formed on 1<sup>st</sup> January, you must register by 28<sup>th</sup> January.
17. Where an arrangement already exists on the date the provisions come into force, you will have three months to register rather than 28 days. There is no requirement to register previous arrangements that have ended on the day the provisions come into force.
18. Under the scheme, it is the arrangement that must be registered not each individual activity that will be carried out. You are however required to update the information registered when there is a [“material change”](#) to the arrangement and to comply with any [information notices](#).

### *Condition 1 - Definition of a “foreign power”*

19. A foreign power is defined in the National Security Act 2023 (section 32) as any of the following:
- a) the sovereign or other head of a foreign State,
  - b) a foreign government, or part of a foreign government (for example, a ministry or department of a foreign government);
  - c) an agency or authority of a foreign government, or of part of a foreign government,
  - d) an authority responsible for administering the affairs of an area within a foreign country or territory (for example, a local government authority in a foreign country);
  - e) a political party which is a governing political party of a foreign government.
20. If an arrangement is formed with an employee or member of one of the above (when acting in this capacity), it is treated as an arrangement with a foreign power.
21. Foreign political parties which are not the governing party of a foreign country are not foreign powers.

### *Condition 2 - Definition of a “direction”*

22. “Direction” is not defined in the National Security Act 2023 but is considered to be an order or instruction to act. It implies a degree of control or expectation by the foreign power upon you.
23. A request from a foreign power could also be considered a direction if any of the following apply:
- the foreign power has power or authority over you;
  - there is an element of control or expectation to the request;
  - a benefit is to be offered as a result of you conforming with the request; or
  - there is coercion or a threat alongside the request.
24. The following may be examples of “direction” from a foreign power:
- A contract signed with a foreign power to carry out activities in the UK;
  - A request from a foreign power, whereby you are offered a benefit (for example, payment, compensation, employment or future favourable treatment) as a result of the activities being carried out in the UK;
  - Coercion or other pressure by a foreign power to carry out activities in the UK (for example, where there may be negative consequences for not carrying out the activity);
  - A request from a foreign power to a prospective employee, whereby it is implied there will be future employment if they conform, or revocation of a job offer if they fail to conform.
25. A benefit does not necessarily need to be provided for an order or instruction to constitute a “direction”.

26. We do not consider that funding from a foreign power, in itself, constitutes a direction. For example, cultural, political, language or economic institutes, will not be required to register simply because they receive funding from a foreign power. It would only be considered a “direction” if the funding had conditions attached for it to be used in a particular way; or it was provided in furtherance of an expectation that it will be used in a particular way.
27. Ownership, or part-ownership by a foreign power, does not necessarily mean that activities of such enterprises are directed by a foreign power. State-owned enterprises would only need to register where they are directed to conduct or arrange political influence activity by a foreign power in the UK.
28. The Government is aware that different sovereign wealth funds are structured in different ways which may bring them into scope of the scheme. The intention is not to impose undue burdens on sovereign wealth funds which regularly engage with Government as part of their day-to-day investment activities. We will continue to keep the scheme under review to ensure that there is minimal impact on potential inward investment into the UK.
29. Communications or liaison between UK political parties and political parties of other countries (even where such a party is a foreign power) will not constitute “direction”, if there is no order, instruction or relevant request to act (see paragraph 23). For example, joint training involving sister political parties will not be in scope of registration requirements.

### Condition 3 - Definition of “political influence activities”

30. An activity is considered a “political influence activity” (section 70 of the National Security Act 2023) if it meets both of the below criteria.

#### **Criteria for political influence activity**

**Criterion 1:** The activity is one of the following:

- A communication (for example, an email, letter or meeting) to a [senior public official or politician](#);
- A public communication (for example, the publication or production of an article) except where it is reasonably clear that it is made at the direction of a foreign power (for example, if an article is labelled in a way that makes this fact clear, or if the writer mentions this fact in the article itself);
- The provision of money, goods or services to an individual or entity in the UK (for example, providing consultancy services to a UK business).

**Criterion 2:** The purpose, or one of the purposes, of the activity is to influence one of the following:

- An election or referendum in the UK;
- A decision of a Minister or Government department (including a Minister or Government department of Wales, Scotland or Northern Ireland);
- The proceedings of a UK registered political party (such as their manifesto commitments);
- A Member of the House of Commons, House of Lords, Northern Ireland Assembly, Scottish Parliament or Senedd Cymru (when acting in their capacity as such).

31. The following are examples of political influence activities:

- A letter to a Minister encouraging them to impose tougher regulations on a particular industry;
- A meeting with a Member of Parliament seeking to persuade them to vote against the Government in Parliament;
- An email to a Scottish Minister intended to persuade them to increase the teaching of art and music in Scottish primary schools;
- A letter to the Head of a political party encouraging them not to make a particular policy commitment;
- A newspaper article making policy recommendations for the UK Government, where it is not reasonably clear that it is written or published at the direction of a foreign power;
- Hosting a dinner for senior UK Government policy makers, where it is intended to influence a decision of the Government.

32. The following are examples of activities which are **not** considered to be political influence activities:



- An email to a “general enquiries” mailbox of a government department outlining the case why an application should be considered favourably (this would not meet criterion 1, as the communication is not made to a senior public official or politician);
- An article published seeking to influence a UK government decision, where it is clearly labelled that it is written or published at the direction of a foreign government (this would not meet criterion 1 as it is reasonably clear that it is made at the direction of a foreign power);
- A meeting with an elected mayor or councillor, intended to influence a local government decision (this would only be in scope of the scheme if it were also intended to influence a national government decision) (this would not meet criterion 2);
- An email to a Chief Constable of a police force offering services as a supplier of new security equipment for their police stations (this would not meet criterion 2);
- An article published encouraging British tourists to visit a foreign country (this would not meet criterion 2);
- An evening reception intended to encourage UK nationals to invest in a foreign country (this would not meet criterion 2).

33. Registration is only required where activity is carried out in the UK. Where an activity starts abroad, but has effect in the UK, this may be in scope of registration requirements. For example:

- An email sent from abroad seeking to influence a Minister of the UK Government;
- A payment remitted from abroad to a person in the UK in order to influence a political matter;
- An article, written by an individual abroad to a UK newspaper for publication, seeking to influence the public about a UK election where it is not clear that the article has been written at the direction of a foreign power;
- A meeting held via a video conferencing software whereby individuals abroad seek to influence senior civil servants in the UK about a government decision.

34. However, where an activity takes place entirely abroad (for example, a meeting with a UK Minister during a visit overseas), this is **not** in scope of registration requirements.

#### *List of public officials and politicians*

35. Schedule 14 of the National Security Act 2023 lists the individuals, communications to whom may be considered political influence activities. They are:

#### Ministers

- A Minister of the Crown.
- A Northern Ireland Minister.
- A Scottish Minister.

- A Welsh Minister.

#### MPs etc

- A Member of either House of Parliament.
- A Member of the Northern Ireland Assembly.
- A Member of the Scottish Parliament.
- A Member of Senedd Cymru.
- An employee or other member of staff of a person of any of the above individuals.

#### Local government

- The Mayor of London.
- A Mayor for the area of a combined authority.

#### Political parties

- An officer, trustee or agent of a UK registered political party.
- A Member of such a political party who exercises executive functions on behalf of the party.

#### Election candidates

- A candidate at an election for a relevant elective office.
- A candidate at an election for a relevant Scottish elective office.

#### Civil servants

- A member of the Senior Civil Service (for example, a Permanent Secretary, Director General or Deputy Director of a UK government department)
- A member of the Northern Ireland Senior Civil Service;
- A member of the Senior Management Structure of His Majesty's Diplomatic Service.
- A special adviser within the UK Civil Service.
- A special adviser within the Northern Ireland Civil Service.

#### Military personnel

- An armed forces officer who is of or above the rank of commodore, brigadier or air commodore.

#### Police

- The chief constable or deputy chief constable of a police force.
- A police and crime commissioner.
- The Commissioner, Deputy Commissioner, Assistant Commissioner or Deputy Assistant Commission of Police of the Metropolis.
- The Commissioner or Assistant Commissioner of Police for the City of London.
- The chief constable or deputy chief constable of the Police Service of Northern Ireland.
- The chief constable or a deputy chief constable of the Police Service of Scotland.

- The chief constable or a deputy chief constable of the Ministry of Defence Police.
- The chief constable or deputy chief constable of the British Transport Police Force.
- The chief constable or deputy chief constable of the Civil Nuclear Constabulary.
- A Director General, Director or Deputy Director of the National Crime Agency.

#### *Condition 4 - Exemptions from the political influence tier*

36. There are a number of exemptions from the requirements to register political influence activities. The following are not required to register under the scheme:

- Anyone acting as part of an arrangement to which the UK is a party (for example, UK government contractors who are also in an arrangement with a foreign power);
- Individuals acting for a foreign power in their official capacity as employees, for example foreign diplomats based in the UK;
- Family members of diplomatic and consular staff (including unmarried persons), where they are supporting the diplomatic or consular activities of their family member;
- Lawyers, in their provision of legal services to foreign powers (for example, those representing foreign governments in a court case against the UK Government);
- Domestic and international news publishers.

Further information can be found on the [exemptions page](#).

## Examples of arrangements requiring (and not requiring) registration under the political influence tier

**Example 1 (registration required) (communication):** A diplomat of Country L contacts a consultant, who is a former high-ranking official to the UK Government with a wide range of senior contacts within the UK Civil Service. The diplomat encourages him to present a case to senior civil servants for nationals of Country L to be granted visa-free status to visit the UK. In return, the diplomat offers the consultant the opportunity to attend (with all expenses paid) a government-organised conference in Country L, helping to build his profile with high-ranking businessmen. The consultant sends an email to a senior civil servant within the Home Office setting out the case for visa-free status for nationals of Country L.

- **Condition 1** is met as the diplomat is an official of a foreign power (the Government of Country L).
- **Condition 2** is met as the diplomat encourages the consultant to seek visa-free status for nationals of Country L, and offers him a reward for doing so.
- **Condition 3** is met as the consultant makes a communication to a member of the Senior Civil Service for the purpose of influencing a decision of a government department.
- **Condition 4** is met as the consultant is not a foreign power, diplomatic family member, lawyer or news publisher, and the UK is not party to the arrangement.

**The consultant** is therefore required to register.

**Example 2 (registration required) (communication):** A lobbying firm signs a contract with the Ministry of Security from Country M. As part of that contract, the lobbying firm agrees to lobby the UK Government to provide weapons to a war-torn state. The lobbying firm subsequently contacts a UK Minister outlining a proposal for the provision and shipment of weapons to the country.

- **Condition 1** is met as the Ministry of Security from Country M is a foreign power.
- **Condition 2** is met as a contract is signed between the Ministry of Security and the lobbying firm.
- **Condition 3** is met as the lobbying firm makes a communication to a Minister to influence a decision to be made by them.

- **Condition 4** is met as the lobbying firm is not a foreign power, diplomatic family member, lawyer or news publisher, and the UK is not party to the arrangement.

The **lobbying firm** is therefore required to register.

**Example 3 (registration required) (communication):** The Government of Country N is aware that a Member of the House of Lords intends to table a Private Members Bill (PMB) which would limit the amount of overseas aid that can be provided to countries which have a poor human rights record, including Country N. A diplomat from Country N meets with the Head of a charity and requests that they encourage the Member of the House of Lords to drop the PMB. In return, the diplomat offers the charity considerable donations and offers to promote their work via their UK embassy. The Head of the charity meets with the Member of the House of Lords and proposes alternative ways for how the objectives of the PMB could be achieved.

- **Condition 1** is met as the diplomat from Country N is an official of a foreign power.
- **Condition 2** is met as the diplomat makes a request of the Head of the charity, offering them a reward upon compliance.
- **Condition 3** is met as the Head of the charity meets with and makes a communication with a Member of the House of Lords to influence them.
- **Condition 4** is met as the Head of the charity is not a foreign power, diplomatic family member, lawyer or news publisher, and the UK is not party to the arrangement.

The **Head of the charity** is therefore required to register.

**Example 4 (registration required) (communication):** A charity is provided funding by the Department for Rural Affairs of Country O to lobby UK political parties to take further action related to wildlife conservation. The charity subsequently arranges for a wildlife expert to meet with the Head of Policy of a UK political party and persuade them to include a section on their election manifesto about their policies for wildlife conservation.

- **Condition 1** is met as the Department for Rural Affairs of Country O is a foreign power.
- **Condition 2** is met as the charity is provided funding by the Department for Rural Affairs and directed to use it in a specific way.

- **Condition 3** is met as the wildlife expert makes a communication to the head of a political party to influence the party's proceedings (in this case, the policy that the party will adopt).
- **Condition 4** is met as the charity is not a foreign power, diplomatic family member, lawyer or news publisher, and the UK is not party to the arrangement.

**The charity** is therefore required to register.

**Example 5 (registration required) (communication):** An official from the Ministry of Security of Country P approaches an individual in the UK, who is a high-profile member of the diaspora of Country P. They require the individual to engage with MPs in order to influence their contributions in a parliamentary debate with implications for the UK's relationship with Country P. The individual's father remains in Country P, and there is an implied threat that he would suffer consequences at work if the request is not complied with. The individual engages with a range of MPs seeking to take a view sympathetic to Country P's interests.

- **Condition 1** is met as the Ministry of Security of Country P is a foreign power.
- **Condition 2** is met as the foreign power makes a request of an individual, with implied consequences for their father upon failure to comply.
- **Condition 3** is met as the individual is making a communication to an MP to influence them.
- **Condition 4** is met as the individual is not a foreign power, diplomatic family member, lawyer or news publisher, and the UK is not party to the arrangement.

**The individual** is therefore required to register.

**Example 6 (registration required) (communication):** An envoy from Country Q, who is formerly a high-ranking member of the Government, is asked by the Head of State of Country Q to make a speech at a conference in the UK outlining the need for a Free Trade Agreement between the UK and Country Q. All expenses related to attending the conference are covered by the Government of Country Q. The envoy makes the speech and, in the margins of the conference, speaks to a UK Minister about the benefits of a FTA.

- **Condition 1** is met as the Head of State of Country Q is a foreign power.
- **Condition 2** is met as the Head of State asks the envoy to make a speech and the Government of Country Q covers the expenses.
- **Condition 3** is met as the envoy makes a communication to a Minister to influence a decision of theirs.
- **Condition 4** is met as the envoy is not a foreign power, diplomatic family member, lawyer or news publisher, and the UK is not party to the arrangement.

**The envoy** is therefore required to register.

**Example 7 (registration required) (public communication):** A lobbying firm enters into a contract with the Ministry for Environmental Affairs of Country R, which hopes to persuade the UK Government to introduce a new policy. As part of the contract, the lobbying firm is directed to prepare and publish articles outlining the case for this new policy. They write the articles, without referring to their arrangement with the Ministry for Environmental Affairs.

- **Condition 1** is met as the Ministry for Environmental Affairs of Country R is a foreign power.
- **Condition 2** is met as a contract is signed between the Ministry for Environment Affairs and the lobbying firm.
- **Condition 3** is met as the lobbying firm makes a public communication to influence a government decision (and it is not reasonably that the communication is made at the direction of a foreign power).
- **Condition 4** is met as the lobbying firm is not a foreign power, diplomatic family member, lawyer or news publisher, and the UK is not party to the arrangement.

**The lobbying firm** is therefore required to register.

**Example 8 (registration required) (provision of money, goods or services):** An entrepreneur in the UK is contacted by the Foreign Affairs Office of Country S and requested that he leverage relationships to influence legislation on trade matters which will affect investment from Country S in the UK. The Foreign Affairs Office offer him substantial amounts of money for doing so, which he invests into the construction of a new cultural centre, which has been a long-standing ambition of the local MP. The entrepreneur intends that, by doing so, he nurtures a relationship with the MP in order to influence voting on the matters which concern Country S in the legislation.

- **Condition 1** is met as the Foreign Affairs Office of Country S is a foreign power.

- **Condition 2** is met as the Foreign Affairs Office makes a request of the entrepreneur and offers money to support his activities.
- **Condition 3** is met as the entrepreneur provides goods and services to individuals in the MP's constituency in order to influence the MP.
- **Condition 4** is met as the entrepreneur is not a foreign power, diplomatic family member, lawyer or news publisher, and the UK is not party to the arrangement.

**The entrepreneur** is therefore required to register.

**Example 9 (registration not required) (not influencing a matter which triggers a registration requirement):** The UK-based embassy of Country T contracts a conference facilitator to organise an event with UK businesses in the financial services industry, in order to discuss how to prevent future financial crises. The conference facilitator organises the event, providing networking facilities and catering services to UK businesses.

- **Condition 1** is met as the embassy of Country T is a foreign power.
- **Condition 2** is met as the embassy signs a contract with the conference facilitator.
- **Condition 3** is not met as the activities of the conference facilitator are not intended to influence a matter that would trigger a registration requirement.
- **Condition 4** is inapplicable as condition 3 is not met.

As condition 3 is not met, the conference facilitator is not required to register.

**Example 10 (registration not required) (no arrangement with, or direction from, a foreign power):** An enterprise, which is owned by the Government of Country U but operates independently of it, attends a conference in the UK at which UK senior policy makers are present. At the conference, representatives from the state-owned enterprise speak to a UK Minister to highlight an issue in UK regulation affecting their industry and suggests possible policy changes.

- **Condition 1** is not met as there is no arrangement between the enterprise and the foreign government.
- **Condition 2** is not met as the state-owned enterprise operates independently of the foreign power. Ownership or funding by a foreign power does not, in itself, amount to direction.
- **Condition 3** is met as representatives of the state-owned enterprise make a communication to a UK Minister in order to influence a decision of theirs related to regulations.



- **Condition 4** is inapplicable as conditions 1 and 2 are not met.

As conditions 1 and 2 are not met, the state-owned enterprise is not required to register.

**Example 11 (registration not required) (no direction from a foreign power):** A foreign student receives a scholarship funded by the Government of Country V to study a PhD in the UK. While in the UK, the student collaborates with a think-tank, assisting them to develop a series of public policy recommendations, which they present to the UK Government at a conference.

- **Condition 1** is met as the Government of Country V is a foreign power and is funding the PhD.
- **Condition 2** is not met as, whilst the foreign power is funding the PhD studies, the student has not been directed by the foreign power to participate in the think-tank activity.
- **Condition 3** is met as the student (in conjunction with the think tank) makes a communication to the UK Government to influence government decisions and policy changes.
- **Condition 4** is inapplicable as condition 2 is not met.

As condition 2 is not met, the student is not required to register.

**Example 12 (registration not required) (no direction from a foreign power):** A private foreign business is seeking to invest in the UK and wishes for UK regulation in the industry in which it operates to be reduced. It signs a contract with a lobby firm, on the agreement that the lobby firm will seek to influence the UK Government into relaxing regulations in the industry. The lobby firm engages with a Minister and Special Adviser at an industry conference and highlights the issues posed by the regulations.

- **Condition 1** is not met as the lobby firm is in an arrangement with a private foreign business, not a foreign power.
- **Condition 2** is not met as there is no direction from a foreign power, but rather a private foreign business..
- **Condition 3** is met as the lobby firm makes communications to a Minister and Special Adviser in order to influence government decisions on regulations.
- **Condition 4** is inapplicable as conditions 1 and 2 are not met.

As conditions 1 and 2 are not met, the hotel is not required to register.

**Example 13 (registration not required) (no direction from a foreign power):** The Government of Country W is hosting a conference in the UK to bring together policy makers and industry to discuss how to reduce child poverty worldwide. It invites a charity to present on a topic of their choosing at the conference, which is attended by UK senior civil servants and special advisers. The charity makes the speech and suggests policy initiatives which attending governments could adopt to alleviate child policy.

- **Condition 1** is met as the Government of Country W is a foreign power.
- **Condition 2** is not met as, while the charity is invited to present at the conference, it is not directed to deliver a particular message and the policy initiatives that it suggests are based on its charitable objectives. It is therefore not being directed to propose these policy initiatives by the foreign power.
- **Condition 3** is met as the charity makes a communication to senior civil servants and special advisers in order to influence a decision of the Government.
- **Condition 4** is inapplicable as condition 2 is not met.

As condition 2 is not met, the charity is not required to register.

**Example 14 (registration not required) (no arrangement with, or direction from, a foreign power):** A multi-lateral organisation is hosting a conference in the UK, with the aim of encouraging attending governments to develop more effective policies to tackle food waste. The multilateral organisation collaborates with a think tank to agree policy recommendations to be presented at the conference. It then invites a representative of the think tank to make a speech and outline these policy recommendations for attending governments (including the UK Government), in return for a one-off payment.

- **Condition 1** is not met as the multi-lateral organisation is not a foreign power.
- **Condition 2** is not met as, whilst the multilateral organisation is directing the representative from the think tank, there is no direction from a foreign power.
- **Condition 3** is met as the think tank representative makes a communication to the UK Government to influence decisions on policy.
- **Condition 4** is inapplicable as conditions 1 and 2 are not met.

As conditions 1 and 2 are not met, the representative of the think tank is not required to register.

**Example 15 (registration not required) (no direction from a foreign power):** A political and cultural foundation which is affiliated to and partially funded by the Government of Country X is seeking to promote the teaching of art and music in UK secondary schools. Whilst the foundation receives its funding from the Government of Country X, its activities are determined by its own employees. The foundation makes contact with senior officials from the Department of Education seeking to influence them to increase the teaching of art and music in UK secondary schools, and offering them resources to do so.

- **Condition 1** is met as the Government of Country X is a foreign power.
- **Condition 2** is not met as the Government of Country X has not directed the activities carried out by the foundation.
- **Condition 3** is met as the foundation makes a communication to senior civil servants in order to influence decisions of a government department.
- **Condition 4** is inapplicable as condition 2 is not met.

As condition 2 is not met, the political and cultural foundation is not required to register.

### Information required at registration

37. The information required at registration will depend on the exact circumstances of the registrant, the arrangement and the activities being carried out. The online registration form will direct you to provide the information required according to your own circumstances.
38. The following information will be required in all cases:
- The name of the foreign power directing the activity;
  - A description of the activities to be undertaken, including their nature, purpose and any sought outcomes;
  - A description of the frequency of the activities;
  - Details of the start and end dates of the activities;
  - Details of the individuals who will carry out the activities;
  - Details related to the registrant (including address and contact details).
39. You should provide enough detail at registration to ensure that the Government has a clear picture of the political influence activities that you have been directed to carry out or arrange, and the means through which you will do this. Vague statements such as “I communicate with the Government to influence policy” will not be sufficient. However, it is possible to provide information about the nature and purpose of your activities, without detailing the “who, what, when, where, why and how” for every aspect of the activities. For example, registration of each email sent as part of political influencing activity will not be necessary.

## Requirements to update registration when there is a “material change”

40. Where there is a material change to a registered arrangement, you must update the information provided at registration via the registration portal within 14 days, beginning with the day on which the change takes effect. For example, if the change takes effect on 1<sup>st</sup> January, you must register this change by 14<sup>th</sup> January.
41. However, this requirement does not necessarily mean that you need to update your registration every time you carry out or arrange a new activity. Where an activity is repeated and conducted in the same way and for the same purpose as the original activity registered, that does not trigger a requirement to register a material change.
42. The following are examples of circumstances which constitute a material change:
- A change in the form of the arrangement, for example where an informal quid pro quo arrangement is formalised through a contract.
  - Where a new type of activity is being carried out. For example, where a registered arrangement originally only related to communication activities, but subsequently evolved to also include the provision of money, goods or services.
  - In relation to registered communication activities, where a new type of person becomes the target of communication (for example where communication activities were originally made only to members of Parliament but subsequently were made to special advisers).
  - A change in the matters which the activity is seeking to influence (for example, where registered activities related specifically to an individual piece of legislation, but subsequently evolved to include a different area of policy).
  - A change in the individual or entity which is carrying out the activities.
  - A change in the anticipated start or end date of activities.
  - An end to the activity or arrangement.
43. The following circumstances do **not** constitute a material change:
- Communication to a public official’s successor, where communication to the original public official had already been registered.
  - An increase or decrease in value of a contract, or an alternative form of reimbursement.
  - A different type of communication to the same individual (for example, where email correspondence evolves to include a face-to-face meeting).
  - A different form of disbursement (for example, where monetary payments evolve to also include the provision of services).

## Guidance for employees and subcontractors carrying out activities

44. The responsibility to register lies with the individual or entity that makes the arrangement with the foreign power. However, where an arrangement has not been registered on time, it is an offence to carry out political influence activities pursuant to that arrangement. Where registration is not yet due (for

example, if the arrangement was made less than 28 days ago), activities may be carried out without committing an offence.

45. If you are an employee or subcontractor who has been tasked with carrying out an activity pursuant to a registerable arrangement, you should first check with your employer or contracting body if they have registered the arrangement. It is your responsibility to ensure that the arrangement under which you are acting has been registered; and it is recommended that you check the public register.

### **Offences and penalties**

46. The following offences under the political influence tier are punishable by up to 2 years imprisonment and/or a fine:
- Failure to register a registerable arrangement (section 69(5) of the legislation);
  - Carrying out political influence activities, or arranging for others to carry out these activities, pursuant to a registerable arrangement, where registration requirements have not been met (section 71);
  - Failure to update a registration within 14 days where there is a material change in the arrangement or activities registered (section 74(8));
  - Failure to comply with an information notice (section 75(8));
  - The provision of false, inaccurate or misleading information (section 77);
  - Carrying out political influence activities, or arranging for others to carry out these activities, pursuant to a registerable arrangement, where false, inaccurate or misleading information has been provided (section 78(2)).
47. For an offence to be committed, the individual is required to have relevant knowledge related to the arrangement or parties to it. Where an individual or entity is unknowing of this information, they may avoid committing an offence.

### **Overlap with registrations required under the enhanced tier**

48. Where an arrangement meets the requirements for registration under both the political influence tier and enhanced tier, only registration under the enhanced tier is required.

### **Interaction between the Scheme and the Transparency of Lobbying Act 2014 / Register of Consultant Lobbyists**

49. The requirements of FIRS and those of the Transparency of Lobbying Act 2014 are separate and distinct. The political influence tier of FIRS requires the registration of arrangements with foreign powers to carry out political influence activity in the UK, whereas the Transparency of Lobbying Act 2014 requires individuals or organisations to register if they wish to undertake paid consultant lobbying on behalf of any third party.
50. The Registrar of Consultant Lobbyists is an independent office holder who is responsible for keeping and publishing the Register of Consultant Lobbyists

and further guidance can be found on the [Office of the Registrar of Consultant Lobbyists website](#).

51. Where an individual or entity's arrangements or activities meet the requirements of both schemes, they need to register with FIRS and the Registrar of Consultant Lobbyists separately. The government will consider ways to reduce any unnecessary duplication of requirements between the schemes where practical.

## The Enhanced Tier

### Introduction

53. The enhanced tier seeks to provide greater assurance around the activities linked to specified foreign powers or entities which may pose a risk to UK safety and interests. It requires individuals or entities to register where they form an arrangement with a specified foreign power or entity to carry out activities in the UK. It also requires specified entities to register activities which they carry out themselves in the UK.

54. Those who register fully and accurately should not be regarded as a national security risk, but as supporting the aims of the scheme. Registration of an arrangement or activity does not necessarily mean that it is illegitimate or undesirable.

### Requirements

55. You are required to register when **all** of the below four conditions are met.

#### **Conditions for registration**

**Condition 1:** You make an arrangement (whether formal or informal) with a [specified foreign power or entity](#).

**Condition 2:** That arrangement involves a [“direction”](#) from the specified foreign power or entity.

**Condition 3:** The direction is to carry out [“relevant activities”](#) in the UK (whether by yourself, or with or through someone else)

**Condition 4:** No [exemptions](#) apply to the arrangement or activities.

56. Registration of “foreign activity arrangements” must be completed within 10 days, beginning with the day on which the arrangement is made, and prior to any activities pursuant to the arrangement being carried out. For example, if an arrangement is made on 1<sup>st</sup> January, you must register by 10<sup>th</sup> January. If activities are to take place between 1<sup>st</sup> and 10<sup>th</sup> January, you must register the arrangement prior to activities taking place.

57. You must not carry out activities pursuant to an arrangement which has not been registered beforehand. Activities may take place within the 10-day registration window, providing that you register beforehand.

58. Under the scheme, it is the arrangement that must be registered, not each individual activity. You are however required to update the information registered when there is a [“material change”](#) to the arrangement and to comply with any [information notices](#).

### **Requirements for specified entities**

Specified entities are also required to register prior to carrying out any “relevant activities” in the UK.

The responsibility to register lies with the specified entity, not its individual employees. If multiple employees of a specified entity are involved in a relevant activity, a single registration undertaken by the entity will suffice; individual employees are not required to each register separately.

59. Specified foreign powers do not need to register relevant activities which they carry out themselves, providing that they do not make a misrepresentation about their activities or the capacity in which they are acting.

#### *Condition 1 - Specified foreign powers and entities*

60. The foreign powers and entities which have been specified under the enhanced tier are as follows:

Specified foreign powers

*[To be added in the event of a foreign power being specified]*

Specified entities

*[To be added in the event of an entity being specified]*

#### *Condition 2 - Definition of a “direction”*

61. “Direction” is not defined in the National Security Act 2023, but is considered to be an order or instruction to act. It implies a degree of control or expectation by the specified foreign power or entity upon you.

62. A request from a specified foreign power or entity could also be considered a direction if any of the following apply:

- the specified foreign power or entity has power or authority over you;
- there is an element of control or expectation to the request;
- a benefit is to be offered as a result of you conforming with the request; or
- there is coercion or a threat alongside the request.

63. The following may be examples of a “direction” from a specified foreign power or entity:

- A contract signed with a specified foreign power or entity to carry out activities in the UK;
- Sponsorship or a scholarship issued by a specified foreign power where it is to be used to carry out a particular activity in the UK;
- A request from a specified foreign power or entity, whereby they offer a benefit (for example, payment, compensation, employment, business opportunities or future favourable treatment) as a result of the activities being carried out in the UK;



- Coercion or other pressure by a specified foreign power or entity to carry out activities in the UK (for example, where there may be negative consequences for you or someone else for not carrying out the activity);
- An order placed by a specified foreign power or entity related to the provision of goods or services in the UK;
- A request made to a prospective employee of a specified entity to carry out an activity in the UK ahead of formal employment.

64. A benefit does not necessarily need to be provided for an order or instruction to constitute a “direction”.

### *Condition 3 - Definition of “relevant activities”*

65. The default is that “relevant activities” include all activities in the UK. This includes, but is not limited to, commercial activities, research activities and the provision of goods and services.

66. However, in relation to the below specified foreign powers and entities, the following activities have been excluded from the scope of “relevant activities”:

*[To be added in the event that a specification under the enhanced tier excludes certain activities]*

### *Condition 4 - Exemptions from the enhanced tier*

67. There are a number of exemptions from the requirement to register arrangements or activities under the enhanced tier. The following are not required to register under the scheme:

- Those acting pursuant to an arrangement to which the UK is party (for example, those invited to participate at an event by a UK government department);
- Individuals acting for a foreign power in their official capacity as employees;
- Those providing services which are reasonably necessary to the functioning of a diplomatic mission or consular post;
- Family members of diplomatic and consular staff (including unmarried persons), where they are supporting diplomatic or consular activities;
- Lawyers, in their provision of legal services to specified foreign powers or entities (for example, those representing specified entities in a court case).

Further information can be found on the [exemptions page](#).

## Examples of arrangements and activities requiring (and not requiring) registration

*These examples have been provided for illustrative purposes and will be revised once regulations have been laid. For the purpose of these examples, it is assumed that all activities constitute “relevant activities” and therefore condition 3 is met in all cases.*

**Example 1 (registration required) (direction from a specified entity):** A media outlet which is controlled by the Ministry for News and Propaganda of Country A has been specified under the enhanced tier. The media outlet contacts an influencer, requesting that they produce content for upload to video sharing platforms expressing support for the Government of Country A, and rebutting claims that it is repressing its people. The influencer produces the videos and is offered vouchers as a reward.

- **Condition 1** is met as the media outlet is a specified entity.
- **Condition 2** is met as the media outlet makes a request of the influencer, offering them a reward upon conformance.
- **Condition 3** is met as all activities (including the production of videos) constitute “relevant activities”.
- **Condition 4** is met as the influencer is not a foreign power, diplomatic family member or lawyer, the UK is not party to the arrangement and they are not providing services reasonably necessary to support the functioning of a diplomatic mission. The exemption for “recognised news publishers” under the political influence tier does not apply in relation to the enhanced tier.

**The influencer** is therefore required to register.

**Example 2 (registration required) (specified entity):** A state-owned enterprise has been specified on the enhanced tier. The entity sells its services to a UK consumers.

As the entity is specified, **the state-owned enterprise** is required to register the sale of its services. It may register these activities in bulk by type of activity; it is not required to register individual transactions separately.

**Example 3 (registration required) (direction from a specified foreign power):** The Foreign Ministry of Country B has been specified on the enhanced tier. A UK-based consular post, which is part of the Foreign Ministry, contracts a UK printing and reprographics firm to produce leaflets advertising Country B as a tourist destination.

- **Condition 1** is met as the Foreign Ministry of Country B (and the consular post falling beneath it) is a specified foreign power.
- **Condition 2** is met as a contract is signed between the consular post and the printing and reprographic firm.
- **Condition 3** is met as all activities (including the printing of leaflets) constitute “relevant activities”.
- **Condition 4** is met as the printing and reprographics firm is not a foreign power, diplomatic family member or lawyer, the UK is not party to the arrangement and they are not providing services reasonably necessary to support the functioning of a diplomatic mission.

**The printing and reprographics firm** is therefore required to register.

**Example 4 (registration required) (direction from a specified foreign power):** An airline is approached by the Civil Aviation Authority of Country C, which has been specified on the enhanced tier. The Civil Aviation Authority of Country C requests that the airline increases the number of flights between the UK and Country C and offers them priority landing slots and VIP access to facilities in the airports in Country C. As a result, the airline adds an additional route from the UK to a city within Country C.

- **Condition 1** is met as the Civil Aviation Authority of Country C is a specified foreign power.
- **Condition 2** is met as the Civil Aviation Authority of Country C makes a request of the airline, offering them a reward in return for increasing the number of flights between the UK and Country C.
- **Condition 3** is met as all activities (including the operation of the additional route from the UK) constitute “relevant activities”
- **Condition 4** is met as the airline is not a foreign power, diplomatic family member or lawyer, the UK is not party to the arrangement and they are not providing services reasonably necessary to support the functioning of a diplomatic mission.

**The airline** is therefore required to register.

**Example 5 (registration required) (direction from a specified foreign power):** The projects of a UK-based company are directly funded and supported by the Government of Country D, which has been specified on the enhanced tier. Government officials of Country D request the company to target a proportion of the funding at acquiring specialist expertise for future projects and direct the company to hold a series of networking and collaboration events in the UK to raise their profile with UK industry specialists.

- **Condition 1** is met as the Government of Country D is a specified foreign power.
- **Condition 2** is met as the company is provided with funding and directed to use it to carry out specific activities.
- **Condition 3** is met as all activities (including the holding of the events) constitute “relevant activities”.
- **Condition 4** is met as the company is not a foreign power, diplomatic family member or lawyer, the UK is not party to the arrangement and they are not providing services reasonably necessary to support the functioning of a diplomatic mission.

**The company** is therefore required to register.

**Example 6 (registration required) (direction from a specified foreign power):** The Department of Cultural Affairs (DCA) of Country E has been specified under the enhanced tier. An official working for the DCA in the UK Embassy of Country E meets with a high-profile entrepreneur in the UK. They offer him money to actively promote a number of cultural programmes being run by UK academic institutions. The entrepreneur promotes the programmes at high-profile business events and accepts the money as reimbursement.

- **Condition 1** is met as the DCA is a specified foreign power.
- **Condition 2** is met as the entrepreneur is offered money to carry out activities.
- **Condition 3** is met as all activities (including the promotion of cultural programmes) constitute a “relevant activities”.
- **Condition 4** is met as the entrepreneur is not a foreign power, diplomatic family member or lawyer, the UK is not party to the arrangement and they are not providing services reasonably necessary to support the functioning of a diplomatic mission.

**The entrepreneur** is therefore required to register.

**Example 7 (registration required) (direction from a specified foreign power):** The Ministry of Security & Defence of Country F has been specified under the enhanced tier. An official of the Ministry of Security & Defence meets

with a businessperson who is due to attend a conference in the UK. The official requests the businessperson to use their UK network to arrange for a number of experts, who are attending the conference, to be approached and invited to present at a future event. The businessperson complies with the request as, in return, is offered permanent residency status in Country F.

- **Condition 1** is met as the Ministry of Security & Defence is a specified foreign power.
- **Condition 2** is met as the Ministry of Security & Defence makes a request of the businessperson, offering them permanent residency status in Country F as a reward.
- **Condition 3** is met as all activities (including the contact made with the experts and invitation to a future event) constitute “relevant activities”.
- **Condition 4** is met as the businessperson is not a foreign power, diplomatic family member or lawyer, the UK is not party to the arrangement and they are not providing services reasonably necessary to support the functioning of a diplomatic mission.

**The businessperson** is therefore required to register.

**Example 8 (registration required) (direction from a specified foreign power):** The Government of Country G has been specified on the enhanced tier. The laws of Country G enable the government to require its nationals to carry out activities for the state with possible prison sentences for those who do not comply. A government official approaches a national of the country who is about to travel to the UK for study purposes and requests that they organise a demonstration in support of the Government of Country G. The national complies with the request and organises the demonstration.

- **Condition 1** is met as the Government of Country G is a specified foreign power
- **Condition 2** is met as the Government of Country G makes a request of one of their nationals, and the national is under a legal obligation to comply.
- **Condition 3** is met as all activities (including the organisation of a demonstration) constitutes “relevant activities”
- **Condition 4** is met as the national is not a foreign power, diplomatic family member or lawyer, the UK is not party to the arrangement and they are not providing services reasonably necessary to support the functioning of a diplomatic mission.

**The national** of Country G is therefore required to register.

**Example 9 (registration not required) (no direction from a specified person):** The Government of Country H has been specified on the enhanced tier. An academic from an independent university within Country H engages with academics at a UK university, who subsequently agree to undertake a research project in the UK.

- **Condition 1** is not met as the university has not been specified and is independent of the specified government.
- **Condition 2** is not met as there is no direction from the specified foreign government.
- **Conditions 3 and 4** are inapplicable as conditions 1 and 2 are not met.

As conditions 1 and 2 are not met, neither the individual, the university nor the UK academics are required to register. The specification of a foreign government does not mean that all activities of the nationals or entities from that country require registration.

**Example 10 (registration not required) (no direction from a specified person):** The Government of Country J has been specified under the enhanced tier. A UK-based charity receives frequent donations from the Government of Country J. Although the donations support the work and cause of the charity, it is not being directed to spend this funding in a particular way. There is therefore no requirement for the charity to register with the scheme.

- **Condition 1** is met as the Government of Country J is a specified foreign power.
- **Condition 2** is not met as the charity is not directed to spend the funding received to carry out specific activities.
- **Conditions 3 and 4** are inapplicable as condition 2 is not met.

As condition 2 is not met, the charity is not required to register.

### Information required at registration

68. The information required at registration will depend on the exact circumstances of the registrant, the arrangement and the activities being carried out. The online registration form will direct you to provide the relevant information according to your own circumstances.

69. The following information will be required in all cases:

- The name of the specified foreign power or entity directing the activity;
- A description of the activities to be undertaken, including their nature, purpose and any sought outcomes;
- A description of the frequency of the activities;
- Details of the start and end dates of the activities;
- Details of the individuals who will carry out the activities;

- Details related to the registrant (including address and contact details).

### **Requirements to update registration when there is a “material change”**

70. Where there is a material change to a registered arrangement, you must update the information provided at registration via the registration portal within 14 days, beginning with the day on which the change takes effect. For example, if the change takes effect on 1<sup>st</sup> January, you must register this change by 14<sup>th</sup> January.
71. The following are examples of circumstances which constitute a material change:
- A change in the form of the arrangement, for example where an informal quid pro quo arrangement is formalised through a contract.
  - Where a new type of activity is being carried out. For example, where a registered arrangement originally only related to communication activities, but subsequently evolved to include marketing activities.
  - A change in the individual or entity which is carrying out the activities.
  - A change in the anticipated start or end date of activities.
  - An end to the activity or arrangement.

### **Guidance for employees and subcontractors carrying out activities**

72. The responsibility to register lies with the individual or entity that makes the arrangement with the specified foreign power or entity. In the case of a specified entity registering its own activities, the responsibility to register lies with the entity, rather than its individual employees.
73. However, where an arrangement or activity has not been registered, it is an offence to carry out relevant activities.
74. If you are an employee or subcontractor who has been tasked with carrying out an activity for a specified entity, or pursuant to a registerable arrangement, you should first check with your employer or contracting body if they have registered the arrangement or activity. It is your responsibility to ensure that the arrangement under which you are acting has been registered.

### **Offences and penalties**

75. The following offences under the enhanced tier are punishable by up to 5 years imprisonment and/or a fine:
- Failure to register a registerable arrangement (section 65(5) of the legislation);
  - Carrying out relevant activities, or arranging for others to carry out these activities, pursuant to a registerable arrangement, where registration requirements have not been met (section 67);
  - Carrying out relevant activities for a specified entity without prior registration (section 68(9));
  - Failure to update a registration within 14 days where there is a material change in the arrangement or activities registered (section 74(8));
  - Failure to comply with an information notice (section 75(8));



- The provision of false, inaccurate or misleading information (section 77);
- Carrying out relevant activities, or arranging for others to carry out these activities, pursuant to a registerable arrangement, where false, inaccurate or misleading information has been provided (section 78(1));
- Carrying out relevant activities for a specified entity where false, inaccurate or misleading information has been provided (section 78(1)).

76. For an offence to be committed, the individual is required to have relevant knowledge related to the arrangement or parties to it. Where an individual or entity is unknowing of this information, they may avoid committing an offence.

### **Overlap with the political influence tier**

77. Where an arrangement would fall within the scope of both the political influence tier and enhanced tier, only registration under the enhanced tier is required.

### **Interaction between the Scheme and the National Security & Investment Act (NSIA) and the Academic Technology Approval Scheme (ATAS)**

78. The requirements of FIRS, the NSIA and ATAS are separate and distinct. Registration, or approval, under one of these schemes is not equivalent to compliance with them all.

79. The enhanced tier of FIRS requires registration (but not approval) of arrangements with specified foreign powers or entities to carry out activities in the UK, as well as registration of relevant activities carried out by specified entities.

80. The National Security & Investment Act gives the Government powers to scrutinise and intervene in acquisitions in the UK economy, such as business takeovers, to protect national security. As part of this, acquirers must notify and get approval from the Government for certain types of deal involving entities operating in particularly sensitive sectors of the economy.

81. The [Academic Technology Approval Scheme](#) requires students from certain countries who are undertaking postgraduate courses or research in subjects or areas where knowledge could be used in programmes to develop Advanced Conventional Military Technology (ACMT), weapons of mass destruction (WMDs) or their means of delivery” to first apply for an approval certificate before they can study or start research in the UK.

82. In circumstances where registration or approval is required under multiple schemes, these will need to be processed separately.



## Information Notices

83. An information notice is a notice requiring an individual or entity to provide further information to the FIRS scheme management unit. The power to issue a notice is provided by section 75(1) of the National Security Act 2023. It may be issued to those who have registered under FIRS, or who are believed to be party to an arrangement or carrying out activities that are registerable under FIRS.
84. The issue of an information notice does not necessarily imply that an individual or organisation is suspected of a criminal offence. Those who comply with these notices are supporting the resilience of the UK and its institutions in the face of state threats.
85. The information required by an information notice, as well as the date by which it will be required, will be specified by the notice itself.

### Who can be issued with an information notice?

86. As set out in section 75(1) and (2) of the legislation, the Government may issue an information notice to any of the following:
- Those who have registered under either tier of FIRS;
  - Those who are believed to be party to an arrangement which is required to be registered under either tier of FIRS;
  - Those who are believed to be carrying out (or arranging for others to carry out) activities which are required to be registered, or which are pursuant to an arrangement which is required to be registered, under either tier of FIRS.
87. For those who have registered, an information notice may be issued to those who have provided insufficient detail in their registration (for example, where it is not clear what type of activity they are involved in or what they are seeking to achieve). The more detail you provide at registration, the less likely you are to be issued an information notice.
88. Information notices cannot be issued to those who benefit from an exemption, such as foreign diplomatic missions.
89. If you believe that you have been issued an information notice in error, please contact the scheme management unit. Where this is found to be the case, the notice may be cancelled.

### Information required through an information notice

90. An information notice may require further details of the arrangement or activities which are being carried out under FIRS. This could include:
- Evidence of the arrangement (including correspondence or a formal contract);
  - Information about the parties of the arrangement;
  - Further information relating to activity to be carried out (including financial statements, correspondence, meeting/event invitations or agendas);

- Where appropriate, evidence of an exemption status.

91. Where information is provided through an information notice, this information will be handled according to the Data Protection Act 2018 and will not be included on the public register.

### **How to submit a response to an information notice**

*[To be added ahead of the scheme's requirements coming into force]*

### **Deadlines for responses to an information notice**

92. The date by which a response to an information notice is required will be set out on the notice itself. This date will be no earlier than 5 working days after the issue of the notice.

### **Offence of failing to comply with an information notice**

93. Failure to comply with an information notice, without a reasonable excuse, is a criminal offence. It is punishable by:

- Up to 5 years imprisonment and a fine under the enhanced tier;
- Up to 2 years imprisonment and a fine under the political influence tier.

## Exemptions

94. As set out in Schedule 15 of the National Security Act 2023, exemptions from registration may apply in the following circumstances.

### Exemption 1: Those who are party to a UK arrangement (Schedule 15 paragraph 1)

*Applies under both tiers of FIRS*

95. Arrangements do not need to be registered when the United Kingdom is a party to that arrangement. This includes arrangements where the UK Government, a department of the UK Government, a UK government official, or any person acting on behalf of the Crown is a party.

96. This exemption includes the following scenarios:

- Where an entity or individual who would otherwise be required to register has signed a contract with a UK government department, and the activities being carried out are related to that contract;
- Where the UK Government has invited or authorised an individual or organisation, who would otherwise be required to register, to participate in certain activities;
- Where an entity or individual carries out activities as part of a multi-lateral agreement to which the UK is a party.

97. Formal responses to UK government consultations or invitations to tender do not require registration under FIRS.

### Examples of circumstances where this exemption applies

**Example 1 (political influence tier):** The Head of State from Country L is invited to make a state visit to the UK, accompanied by a business delegation. The Ministry of Commerce from Country L invites an automotive company to be part of the business delegation, with an expectation that it uses the opportunity to speak to UK senior civil servants and special advisers about the need for policy changes to allow for the roll-out of self-driving vehicles on UK motorways. The UK Government endorses the invitation for representatives of the automotive company to be part of the business delegation. Whilst the automotive company is being directed to carry out political influence activity by a foreign power, the UK is party to this arrangement, and the automotive company is therefore not required to register.

**Example 2 (enhanced tier):** A foreign state-owned enterprise has been specified on the enhanced tier, with involvement in the development of UK infrastructure constituting a “relevant activity”. A UK government department conducts due diligence into the state-owned enterprise and signs a contract with it for limited

involvement in a UK investment project. As a UK government department is party to this arrangement, the state-owned enterprise would not have to register its involvement in this project.

## Exemption 2: Foreign powers (Schedule 15 paragraph 2)

*Applies under both tiers of FIRS*

98. Foreign powers (as well as their employees and office holders) are not required to register their own activities, providing that they are open and honest about who they represent. This exemption does not apply where a person acting for the foreign power makes a misrepresentation about who they are, or the capacity in which they act.

99. A foreign power is defined as any of the following (see section 32 of the National Security Act 2023):

- a) the sovereign or other head of a foreign State in their public capacity,
- b) a foreign government, or part of a foreign government,
- c) an agency or authority of a foreign government, or of part of a foreign government,
- d) an authority responsible for administering the affairs of an area within a foreign country or territory, or persons exercising the functions of such an authority, or
- e) a political party which is a governing political party of a foreign government.

100. The activities of UK-based embassies and consulates, as well as the official activities of their diplomats and staff members, are covered by this exemption.

### Examples of circumstances where this exemption applies

**Example 1 (political influence tier):** An official of an agency of the Government of Country M communicates with UK senior officials, seeking to influence a visa decision for a high-profile individual of Country M to visit the UK. Whilst this constitutes political influence activity, no registration is required as the activity is carried out by the foreign power itself.

**Example 2 (enhanced tier):** The Ministry of Security of Country N has been specified under the enhanced tier. An employee of that ministry makes an official visit to the UK to engage with UK researchers. Whilst the Ministry of Security has been specified, no registration is required for activities that it carries out itself as a foreign power.

### Exemption 3: Activities that are reasonably necessary for the functioning of a diplomatic mission (Schedule 15 paragraph 3(1))

Applies under the enhanced tier only

101. Where an individual or entity provides a service that is essential to the functioning of a diplomatic mission, even where this diplomatic mission forms part of a specified foreign power, this will be exempt from registration. This includes activities such as catering or maintenance services for the diplomatic mission.
102. This exemption applies in relation to the enhanced tier only. However, in practice, individuals who are providing essential services to diplomatic missions would not be required to register under either tier of FIRS because the provision of such services should not ordinarily involve the carrying out of political activities.

Example of a circumstance where this exemption applies

**Example:** The Foreign Ministry of Country O has been specified under the enhanced tier. A UK-based embassy, which forms part of the Foreign Ministry of Country O, signs a contract with a UK construction firm for essential maintenance work to the embassy. The construction firm is not required to register, as the arrangement relates to the provision of services which are reasonably necessary for the functioning of a diplomatic mission.

### Exemption 4: Spouses, partners and family members of diplomats and staff of diplomatic missions (Schedule 15 paragraph 3(2)-(5))

Applies under both tiers of FIRS

103. This exemption recognises the role that spouses, partners and family members of diplomatic staff members play in the carrying out of diplomacy. It applies to an individual where all of conditions A, B and C are met.

#### **Conditions for application of the exemption**

**Condition A:** The individual is a member of the family (including an unmarried partner) of a “principal person”.

**Condition B:** That principal person is a member of staff of a diplomatic mission, consular post or the permanent mission to a UK-based international organisation of a country which is a member of the organisation.

**Condition C:** The individual makes an arrangement to support the official activities or duties of the principal person.

104. This exemption would not apply where the family member makes an arrangement when acting in their personal capacity, or as part of any other work that they carry out which is unrelated to that of the principal person.

#### Examples of circumstances where this exemption applies

**Example 1 (political influence tier):** An ambassador of a foreign government in the UK holds a reception which is attended by his partner, as well as a number of UK senior officials and special advisers. During the event, the ambassador's partner (on behalf of the ambassador) speaks to the senior officials and special advisers, seeking to secure funding from the UK Government for a joint research project into 6G technology. Whilst the ambassador's partner is carrying out political influence activity on behalf of a foreign power, they are not required to register as an exemption applies.

**Example 2 (enhanced tier):** A consular post in the UK forms part of a foreign government which has been specified under the enhanced tier. The spouse of a member of staff of the consular post (acting on behalf of their spouse) makes contact with UK academics, seeking to secure collaborative projects with academics from their own country. Whilst the spouse is acting at the direction of a specified foreign power, they are not required to register as an exemption applies.

#### **Exemption 5: Recognised news publishers (Schedule 15 paragraphs 4-5)**

*Applies in relation to the political influence tier only*

105. Recognised news publishers are exempt from registering any arrangements which they make with foreign powers to carry out political influence activities. This exemption also applies in relation to employees of registered news publishers, when acting in their capacity as an employee.
106. Where an individual makes an arrangement with a recognised news publisher, they also benefit from this exemption, providing that one of the purposes of the arrangement is the publication of news-related material.
107. "News-related material" means material consisting of:
- a) news or information about current affairs,
  - b) opinion about matters relating to the news or current affairs, or
  - c) gossip about celebrities, other public figures or other persons in the news.
108. A "recognised news publisher" includes the British Broadcasting Corporation, Sianel Pedwar Cymru, and the holder of a licence under the Broadcasting Act 1990 or 1996 who publishes news-related material in connection with the broadcasting activities authorised under the licence. It also includes any entity which meets all of the below conditions.

### **Conditions for status as a “recognised news publisher”**

**Condition A:** The entity has as its principal purpose the publication of news-related material, and such material— (i) is created by different persons, and (ii) is subject to editorial control.

**Condition B:** The entity publishes such material in the course of a business (whether or not carried on with a view to profit).

**Condition C:** The entity is subject to a standards code.

**Condition D:** The entity has policies and procedures for handling and resolving complaints.

**Condition E:** The entity has a registered office or other business address which it publishes.

**Condition F:** The entity has legal responsibility for material published by it in the United Kingdom.

**Condition G:** The entity publishes its name, address, registered number (if any) and the name and address of any person who controls the entity (including, where such a person is an entity, the address of that person’s registered or principal office and that person’s registered number (if any)).

**Condition H:** The entity is not an “excluded entity” or “sanctioned entity” (see below).

An “excluded entity” is an entity which is a proscribed organisation under the Terrorism Act 2000, or an entity whose purpose is to support a proscribed organisation under that Act.

A “sanctioned entity” is an entity which is designated under sections 1 or 13 of the Sanctions and Anti-Money Laundering Act 2018.

#### Example of a circumstance where this exemption applies

**Example:** A recognised news publisher enters into an arrangement with the Government of Country P, who directs them to publish an opinion article containing criticism of UK government spending on overseas aid. The foreign government intends that, by doing so, the UK Government may direct its funding to a particular country for economic reconstruction work following a civil war. Whilst the recognised news publisher is carrying out political influence activity at the direction of a foreign power, it is not required to register as it benefits from an exemption.

## Exemption 6: Legal activities (Schedule 15 paragraph 6)

*Applies in relation to both tiers of FIRS*

109. Where an arrangement with a foreign power or specified entity relates to the carrying out of legal activity by a lawyer, this arrangement will be exempt from registration requirements.
110. Where a lawyer carries out non-legal activity, for example in their personal capacity, this will not benefit from this exemption. Similarly, where an arrangement relates to the carrying out of legal activity by an individual who does not meet the definition of a “lawyer”, the exemption will not apply.
111. A “Lawyer” means (see paragraph 6(3))—
- a) a person who for the purposes of the Legal Services Act 2007 is an authorised person in relation to an activity that constitutes a reserved legal activity (within the meaning of that Act),
  - b) a solicitor or barrister in Northern Ireland,
  - c) a solicitor or advocate in Scotland, or
  - d) a person who is a member, and entitled to practise as such, of a legal profession regulated in a jurisdiction outside the United Kingdom.
112. “Legal activity” means (see paragraph 6(4))—
- a) in England and Wales, a legal activity within the meaning of section 12 of the Legal Services Act 2007,
  - b) in Northern Ireland, a legal activity within the meaning of that section, but reading the reference to an activity which is a reserved legal activity as a reference to an activity corresponding to a reserved legal activity,
  - c) in Scotland, the provision of legal services within the meaning of section 3 of the Legal Services (Scotland) Act 2010, or
  - d) acting as an arbitrator or mediator.

### Examples of circumstances where this exemption applies (and does not apply)

**Example 1 (political influence tier):** A high-profile individual of Country Q has recently had his UK visa revoked by the Home Office. The Government of Country Q instructs a lawyer to appeal the decision. The lawyer subsequently writes to the relevant Home Office senior officials and ministers to seek to persuade why the decision was incorrectly made, and to overturn the decision. Whilst the lawyer is carrying out political influence activity at the direction of a foreign power, they are not required to register as they benefit from an exemption.

**Example 2 (enhanced tier):** A state-owned enterprise, with a regional office in the UK, has been specified on the enhanced tier. The state-owned enterprise contracts a lawyer to represent them in an ongoing court case. Whilst the lawyer is acting at the direction of a specified entity, they are not required to register as they benefit from an exemption.



**Example 3 (exemption does not apply):** The Ministry of Security of Country R meets with a lawyer who is residing in the UK. They request that he use his senior contacts within the Home Office to seek to persuade them to commence negotiations on a Mutual Legal Assistance Treaty between the UK and Country R. The lawyer meets with senior civil servants from the Home Office to set out the need for such a treaty and the positive steps that Country R has taken recently to ensure compliance with such treaties. Whilst the individual making the arrangement with the foreign power is a lawyer, the activities being carried out are not legal activities and the exemption therefore does not apply.

## The Public Register

113. Some of the information registered under FIRS is included on a public register. The aim of this register is to better inform the public as to the scale and extent of foreign influence in UK political affairs.
114. Those who appear on the public register should be regarded as supporting the transparency aims of the scheme. Appearing on the register does not mean that an individual or entity is doing anything illegitimate.

### Information that is published

115. The following information registered under the political influence tier is included on the public register:
- Details of the individual\* or entity who made the arrangement with the foreign power;
  - The name of the foreign power directing the political influence activity;
  - A description of the form and nature of the arrangement;
  - The date of direction by the foreign power;
  - The type of activity to be undertaken pursuant to the arrangement (communication, public communication or disbursement activities);
  - Details of the individuals\* who will carry out the activities, their roles and their relationship to the person who made the arrangement.
116. In relation to communication activities, the following information is also included on the public register:
- Details of the individual(s)\* to whom communication is to be made;
  - The nature of the communication;
  - The purpose of the communication;
  - The outcome sought as a result of the communication.
117. In relation to public communication activities, the following information is also included on the public register:
- Details as to whether the communication involves publication or production;
  - The nature of the communication;
  - The intended audience of the communication;
  - The purpose of the communication;
  - The outcome sought as a result of the communication.
118. In relation to disbursement activities, the following information is also included on the public register:
- The nature of the goods or services to be distributed;
  - The value of the money, goods or services to be distributed;
  - Details of the individuals\* to whom the money, goods or services are to be distributed.

\*Personal details other than an individual's name, such as date of birth, address and passport number, are not included on the public register.

## Exceptions from publication

119. There are limited circumstances whereby a registrant can claim an exception to publication. This may be done as part of the registration process and will be considered by the scheme management unit.
120. Exceptions to publication may be claimed in the following circumstances:
- Where there is a risk that publication would prejudice the national security of the UK.
  - Where there is a significant risk that publication would put any individual's safety at risk.
  - Where publication would involve the disclosure of commercially sensitive information.
121. You will need to provide supporting evidence to support a request for an exception. The scheme management unit will inform you if the request for an exception has been accepted.
122. Where only certain information provided at registration triggers a condition for an exception, that information may be redacted from the public register while the remaining information is published.

## Timing of publication

*[To be added ahead of the scheme's requirements coming into force]*

## Searching the public register

*[To be added ahead of the scheme's requirements coming into force]*