University of Leicester Research Governance Office

Standard Operating Procedures

TR-SOP-3 UoL

Procedure for managing NSI Act Notifications at the University of Leicester

Version 1

Effective Date: 15th January 2025

This SOP will be implemented in line with this document's effective date for all UoL Sponsored research still in set up. For active clinical research that is already in the recruitment phase (or further) at the time of implementation, this SOP must be implemented within 3 months of the effective date.

Please note the appendices associated with this SOP may be subject to interim changes. Please ensure that appendices are downloaded from the RGO webpages prior to use to ensure the latest

version of the document is being used. For active studies there is no requirement to update appendices to the latest version.

1.0   Introduction and Scope

This SOP is to set out the process in which an Export Control Licence is requested &
processed.
The NSIA does this by requiring people to notify the government before they make
certain types of transactions, this is done through both mandatory and voluntary
notifications. The government can also call-in transactions for review even if they
were not mandatory notifications.

2.0   Purpose

The purpose is to clearly identify when Mandatory & Voluntary notifications apply.
And the process that The Trusted Research Team support, follow and monitor in
which to do this.

The National Security and Investment Act 2021 (NSIA) is a law that gives the
government the power to review and stop certain transactions involving shares and
intellectual property (IP) if they could harm national security.

The NSIA may be relevant to university research and commercialisation activities if
they involve dealings in shares, IP rights, or the creation or transfer of investor rights.
For example, if a foreign company wanted to buy a majority stake in a UK university
start up that was developing new military technology, the government could use the
NSIA to block the deal if it was concerned that the technology could fall into the
wrong hands.

The NSIA is a new law, and it is still too early to say how it will be used in practice.
However, it is important for we are aware of the law and to understand how it could
impact our research and commercialisation activities.The government are specifically
interested in 17 sensitive sectors of the economy that include:

- Advanced Materials
- Critical Suppliers to Government
- Quantum Technologies
- Advanced Robotics
- Cryptographic Authentication
- Satellite and Space Technologies
- Artificial Intelligence
- Data Infrastructure
- Suppliers to the Emergency Services
- Civil Nuclear
- Defence
- Synthetic Biology
- Communications
- Energy
- Transport
- Computing Hardware
- Military and Dual-Use

3.0 Non-Compliance

Where it is identified that the processes detailed above have not been followed, this will initially be raised with the CI (or their delegate). If required this may trigger the need for a Corrective Action/Preventative Action (CAPA) document to be instigated Where non-compliance persists, SOP S-1016 UoL' Non-Compliance' will be implemented at a minimum of a Major finding.
Ongoing non-compliance will be escalated to the HoD and managed by the Director of Research and Enterprise or their delegate.

4.0 Responsibilities

Responsibility	Undertaken by	Activity
Assessment of need for NSI	Trusted Research Team	For every new Trusted Research Assessment that comes in, an assessment should take place to understand whether an NSI Notification is required. The Trusted Research Team use the TRA form to understand if the research falls under the sensitive areas of the economy set out by the act. Understand then the status of any new research centre or where any new IP would sit. The Trusted research team will meet with the research team to understand this and gather more information if necessary. If both export control licence and NSI look applicable, • assess which is most suited for the project • if something is on the dual use list, export control licence is better. If the Trusted Research Team still have concerns of potential project, liaise with RCAT • If there is clearly no NSI Notification, the TRA form can be marked as such. If it looks like an NSI Notification may be required, understand if it would be voluntary or mandatory using the regulation guidance.

Responsibility	Undertaken by	Activity
		If mandatory, inform CI, College and SDD. If project is to go ahead, go to section on how to submit notification. If voluntary, discuss with CI, college if they want to proceed. Escalate to SDD for a final decision as to whether project proceeds and if notification is made.
Submitting a Notification	The Trusted Research Team	The Trusted Research Team will work with PI (CI) to • collect all relevant information for submission and submit https://nsi.beis.gov.uk/ • Respond to any government requests for information within required timeframes, working with CI and department where necessary The Trusteed Research Team will save all documents within the required TRA SharePoint folder. The SDD group will be updated throughout the process where necessary.
Response of Notification	The Trusted Research Team	If the notification is approved, the Trusted Research Team will share and action any conditions of approval. And continue to monitor the research project irrespective of outcome

5.0 Development and approval record for this document

This table is used to track the development and approval of the document.

Author	Job title	Reviewed by	Approved by	Date approved
Reuben Sneller	Trusted Research Officer	Shaun Monkman	Cat Taylor	15th January 2025

6.0 Review Record

This table is used to track the changes made across document revisions.

Date	Version number	Reviewed by	Description of changes (If any)