

PREM 19/864

# Legislative Programme

# PARLIAMENT

PE 1: May 1979

PE 2: July 1981

## PART 8

Referred to	Date	Referred to	Date	Referred to	Date	Referred to	Date
<del>17.8.81</del>		19.10.81		<del>16.2.82</del>			
<del>5.8.81</del>		<del>2.12.81</del>		<del>18.2.82</del>			
18.8.81		4.12.81		24.2.82			
<del>30.8.81</del>		9.12.81		25.2.82			
14.9.81		<del>14.12.81</del>		- ends -			
<del>23.9.81</del>		<del>15.12.81</del>		X			
24.9.81		<del>17.12.81</del>					
28.9.81		<del>21.12.81</del>					
		<del>7.1.82</del>					
4.10.81		<del>11.1.82</del>					
15.10.81		20.1.82					
19.10.81		<del>28.1.82</del>					
3.11.81		<del>2.2.82</del>					
<del>11.11.81</del>		<del>5.2.82</del>					
<del>12.11.81</del>		<del>11.2.82</del>					
15.11.81							
26.11.81							
27.11.81							

PREM 19/864

PART 8 ends:-

25. 2.82

PART 9 begins:-

1. 3.82

TO BE RETAINED AS TOP ENCLOSURE

### Cabinet / Cabinet Committee Documents

Reference	Date
CC(81) 30th Conclusions, Minute 5	30.7.81
CC(81) 32nd Conclusions, Minute 5	24.9.81
L(81) 20th Meeting, Minute 9	30.11.81
H(81) 68	5.11.81
CC(81) 38th Conclusions, Minute 1	26.11.81
OD(81) 56	8.12.81
L(81) 116	9.12.81
L(81) 24th Meeting, Minute 1	16.12.81
OD(81) 57	21.12.81
L(82) 1	7.1.82
L(82) 2	7.1.82
L(82) 3	7.1.82
L(82) 5	11.1.82
L(82) 8	13.1.82
L(82) 2nd Meeting, Minute 1	20.1.82
H(82) 7	16.2.82
L(82) 6th Meeting, Minute 2	17.2.82
QL(82) 1	18.2.82
H(82) 4th Meeting, Minute 2	23.2.82
H(82) 9	24.2.82
QL(82) 3	25.2.82

The documents listed above, which were enclosed on this file, have been removed and destroyed. Such documents are the responsibility of the Cabinet Office. When released they are available in the appropriate CAB (CABINET OFFICE) CLASSES

Signed Wayland

Date 18 October 2012

PREM Records Team

Mr. Patten  
Paulo 2

*ACTION*

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QL(82) 2

COPY NO 2

25 February 1982

QUEEN'S SPEECHES AND FUTURE LEGISLATION COMMITTEE

CABINET

*We shall have to take more than 2 for pace & if the PM*

*Prime Minister*

*In para 8, Mr. Pym sees room for only 2 Bills next session from a long list of desirable proposals.*

*Programme in 2 purpose of*

LEGISLATIVE PROGRAMME 1982-83

Memorandum by the Lord President of the Council

*MAP 26/2*

1. The Secretariat have circulated (QL(82) 1) a summary of the 80 Bills put forward by Departments for possible inclusion in next Session's legislative programme. Excluding the 10 Scottish bids, these consist of 3 essential bills, 6 contingent Bills, 46 programme Bills and 15 other Bills.

2. In our consideration of the legislative programme for 1981-82 we were conscious of the need not to overload our supporters, bearing in mind that the programme in the first two Sessions of this Parliament was extremely heavy. This Session's comparatively lighter programme has been generally welcomed. We also had to bear in mind the possibility of a Bill on Canada, which duly materialised (together with another of the contingent Bills, the New Towns Bill), and the likelihood that a controversial Bill on industrial relations would not be ready for introduction until after the Christmas adjournment.

We were anxious to leave ourselves room for late additions to the programme, of which there have already been two - the Social Security (Contributions) Bill and the Travel Concessions (London) Bill. The 1981-82 programme at the beginning of the Session therefore contained, out of the 50 put forward by Departments, 15 Bills (excluding Scottish) of which 6 were short essential ones mainly concerned with raising borrowing limits. We tried to give priority to Bills postponed from the 1980-81 programme; to take account of the timetable envisaged for the preparation of Bills by Departments, giving preference to those where policy work was well advanced; and, subject to these considerations, to forward our wider economic policies while giving some social policy content to the programme.

3. We need first to consider the length of the programme for 1982-83. This will be the last full Session of this Parliament, and it is essential to avoid a spillover in the autumn of 1983. We need to allow room for late additions to the programme and for any of the contingent Bills which may materialise, and it would be wise therefore for the programme to consist of not more than 15 Bills (excluding Scottish). Next, we must confine the programme to Bills which can be introduced at or near the start of the Session. Although the position was better this Session than in previous years, 10 Bills were not ready for introduction at the start of the Session, and it is already clear that the Lords are going to have a spillover this autumn. We ought not to include in our next programme any Bills which are not expected to be ready by the start of the Session unless there are overwhelming reasons for doing so: certainly there can be no question of introducing major Bills after the end of November. In some cases we shall have to ask colleagues to see whether the timetable proposed for a Bill can be improved. Finally, we need to ensure that there is a good stock of Bills which can be introduced in the House of Lords.

4. When the Cabinet considered our proposals for the current Session at their meeting on 14 May last year, some concern was expressed that the proposed programme did not place sufficient emphasis on the Government's main strategic objectives, and we were invited to review the programme we had put forward with the aim of including more major policy Bills, if necessary at the expense of some of the more technical measures we had recommended. The Cabinet will no doubt have the same considerations in mind this year. Three Bills are essential, so we need to decide which twelve of the other Bills proposed will best contribute to our strategic objectives.

5. The three essential Bills are:

1. Mobile Homes - essential because agreements under the Mobile Homes Act 1975 will start to run out in 1983.

2. Water - essential because the borrowing limits of the water authorities will be reached by April 1983. Legislation on water is, however, technically difficult and politically controversial, and I think this Bill should be limited to the borrowing limits provision and not make the other changes which the Secretary of State for the Environment is proposing.

3. Carriage by Railway - essential because of international commitments.

*I think the other changes are very important to our strategy*

*objections*

6. Of the major economic policy Bills proposed (numbered as in the Annex to QL(82) 1), four would contribute to our strategic objectives and should be ready at the start of the Session:

22. Dock Work Regulation - a short Bill which is needed to remove an obligation to prepare a new Dock Labour Scheme;

24. Gas Safety - a virtual commitment, necessary before the provisions on gas appliance retailing, which will be enacted in the current Session's Oil and Gas (Enterprise) Bill, can be brought into effect;
25. Electricity and Nuclear Installations (Amendment) - to enable private concerns to supply electricity to others as a main business;
42. Shipbuilding Industry (Disposals) - which would fulfil a Manifesto commitment, and was dropped from the programme for the current Session to make way for the Employment Bill.
7. There are six other Bills which have strong claims for inclusion:
10. Agriculture - parts of which are vitually essential. There has been no major legislation on agriculture in this Parliament;
16. Further Education - because of an increasing risk of legal challenge, early legislation is indicated and may well become essential. There are in any case strong arguments on grounds of policy for a Bill which will put the provision of further education on a sound legal and financial footing;
26. Housing and Building Control - this Bill will have strong support; the housing part has been held in reserve for this Session, but it is unlikely that room can be found for it;
30. Commonwealth Development Corporation (Amendment) - a one-clause Bill to increase the Corporation's borrowing limit;



35. Police and Criminal Procedure - to enable us to implement the recommendations of the Philips Royal Commission and to follow up the Scarman Report;
55. Conwy Tunnel (Miscellaneous Provisions) - this seems essential for the roads programme and prima facie suitable for Welsh Grand Committee (but not for Lords introduction because of hybridity).

8. A programme on these lines would obviously mean that a number of major Bills, some highly desirable, could not be included. We would have room for only two more Bills. The major candidates are as follows:

11. Fisheries - which would make a number of highly desirable changes in the field of licensing, conservation and pollution. It would not, however, seem to assist the fishing industry directly, and Parliament passed a Fisheries Act in 1981. It is doubtful whether room could be found for this Bill in addition to the Agriculture Bill;
13. Royal Ordnance Factories - a privatisation measure; but the immediate prospects of disposal are very dim;
15. IMS (Financial Provisions) - the need for which hardly appears pressing;
17. Museums - which would take 1,100 people out of the Civil Service;
27. Ancient Monuments and Historic Buildings - which would take 1,000 people out of the Civil Service;

32. Health and Social Services (Miscellaneous Provisions) - originally proposed for the 1980-81 Session;
- ✓ 33. Social Security - which would make changes to the industrial injuries scheme and, subject to consultations and policy decisions, to death grant. It would also be the most suitable vehicle for changes to the entitlement of 16-year-olds to supplementary benefit, which will be a necessary consequence of the new Youth Training Scheme;
- ✓ 36. Wireless Telegraphy (Amendment) - which the Government is committed to introducing;
- ✓ 37. Data Protection - for which there will be strong support so as to protect our overseas trading interests, but which will be complicated and highly controversial;
- ✓ 41. Telecommunications - a major privatisation Bill, central to our main economic strategy; but complex in drafting and unlikely to be ready in time;
43. Development of Inventions - presentationally useful but perhaps likely to have little real impact on the problems of introducing new technology into British industry;
44. Matrimonial Causes - which would implement recent recommendations of the Law Commission but which could be extremely controversial;
52. Duchy of Cornwall (Management) - the introduction of which must remain a matter of careful political judgment;

54. Pensions (Increase) - which would make substantial savings but on which policy agreement has not yet been reached.

9. Of the Scottish Bills, the Electricity (Financial Provisions) Bill is essential. The number of Scottish Bills which can be included largely depends on pressure in the House of Lords, since all are considered suitable for Second Reading in the Scottish Grand Committee. This might suggest that two more Scottish Bills could be included. The next three in the Secretary of State's order of priority are the Mental Health (Scotland) Bill, the Agricultural Holdings (Amendment) (Scotland) Bill and the Divorce (Jurisdiction) and Legal Aid (Scotland) Bill. The first and third of these seem the most attractive.

10. Of the 13 Bills I have proposed above for the programme, four seem suitable for starting in the House of Lords - Mobile Homes, Carriage by Railway, Agriculture and Further Education. The Mental Health (Scotland) Bill and the Divorce (Jurisdiction) and Legal Aid (Scotland) Bill would also be suitable for Lords introduction.

11. I am circulating a separate memorandum (QL(82) 3) about Second Reading Committee bills.

12. In summary I propose that -

- a. we should recommend to Cabinet a programme of 15 Bills (excluding Scottish and contingent) for next Session and suggest, subject to further consultation with Departmental Ministers, that the list should consist of the Bills listed in Annex A to this memorandum, plus two of the Bills listed in paragraph 8 above (a full list of Departmental programme bids other than those in Annex A is at Annex B);

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- b. any proposal for further additions should be met only by equivalent deletions;
- c. the programme should include the three Scottish Bills mentioned in paragraph 9;
- d. we should invite the Cabinet to take note of the possible need for the contingent Bills listed in Annex C.

F P

Privy Council Office  
25 February 1982

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Annex A

BILLS PROPOSED FOR INCLUSION IN THE  
LEGISLATIVE PROGRAMME 1982-83  
(EXCLUDING SCOTTISH AND CONTINGENT BILLS)

(The numbers are those used in the Annex to QL(82)1)

Essential (3)

1. Mobile Homes
2. Water
3. Carriage by Railway

Programme (10)

10. Agriculture
16. Further Education
22. Dock Work Regulation
24. Gas Safety
25. Electricity and Nuclear Installations (Amendment)
26. Housing and Building Control
30. Commonwealth Development Corporation (Amendment)
35. Police and Criminal Procedure
42. Shipbuilding Industry (Disposals)
55. Conwy Tunnel (Miscellaneous Provisions)

BILLS NOT PROPOSED FOR INCLUSION IN  
THE LEGISLATIVE PROGRAMME 1982-83 (36)

11. Fisheries
12. Royal Botanic Gardens
13. Royal Ordnance Factories
14. Reserve Forces
15. IMS (Financial Provisions)
17. Museums
18. Social Science Research Council: Abolition
19. Teachers' Remuneration
20. Student Loans (Indemnity and Interest)
21. Education (Miscellaneous Provisions)
23. Disabled Persons Employment
- 27. Ancient Monuments and Historic Buildings
28. Local Authority Assistance to Industry
- \*29. Derelict Land Grants
31. Territorial Sea
32. Health and Social Services (Miscellaneous Provisions)
33. Social Security
34. Broadcasting
36. Wireless Telegraphy (Amendment)
37. Data Protection
38. Animals (Scientific Procedures)
39. Riot (Compensation)
40. Firearms
41. Telecommunications
43. Development of Inventions
44. Matrimonial Causes
45. Nationalised Industries (Consumers' Councils and Committees)
46. Merchant Shipping (Liner Conferences)
47. Merchant Shipping
48. Civil Aviation
49. Transport
50. Highways (Tolls)
51. Minibus
52. Duchy of Cornwall Management
- \*53. Currency and Banking
54. Pensions (Increase)

\* Possible candidates for inclusion in the Second Reading Committee list  
(see QL(82)3)

LEGISLATIVE PROGRAMME 1982-83: CONTINGENT BILLS (6)

4. Milk
5. Equal Pay Amendment
6. European Communities (Portuguese and Spanish Accession)
7. Law of the Sea Convention
8. Industry (Amendment)
9. Channel Link

Prime Minister cc Mr. Gou

Parliament

Despite your known views,  
Mr Pym is not budging  
on this.

Prime Minister  
Whitehall London SW1A 2AA

24 February 1982

MAP 24/2

ms

Dear Michael,

Thank you for your letter of 11 February about the possible addition to this Session's legislative programme of a bill to extend the right to buy to tenants of leasehold properties and to charitable housing associations.

I agree that this measure is a very strong candidate for enactment this Parliament. You will have seen the Prime Minister's recent reply to a question from Bob Dunn in which she made the position very clear. However I am afraid that it is still too early to judge whether it would be wise to add to the agreed programme for this Session a highly controversial bill which the Opposition would seek to obstruct at every stage. In the circumstances I do not think it would be appropriate for the draft Bill to be considered by L Committee. This step must await a final decision on whether or not a Right to Buy Bill can proceed this Session.

That is the position so far as the House of Commons is concerned. However, you ought to be aware that Janet Young has indicated that the House of Lords would only be able to cope with a Right to Buy Bill if it were introduced in that House. Bearing in mind our experience with the Local Government, Planning and Land Bill, in the 1979/80 Session, I think it would be most unwise for us to contemplate handling such a controversial piece of housing legislation in this way. This leads me to question whether we should continue to think in terms of legislating this Session, and whether it might not be more sensible to consider a Right to Buy Bill when QL Committee turns its attention to the 1982/83 legislative programme in the very near future.

I am copying this letter to recipients of yours.

Francis Pym

FRANCIS PYM

The Rt Hon Michael Heseltine MP  
Secretary of State for the Environment  
2 Marsham Street  
London SW1P 3EB





2 16 WICB 1982





CONFIDENTIAL

Parliament 2

2 MARSHAM STREET  
LONDON SW1P 3EB

Prime Minister

Mr Gow

written before your  
Question Time  
yesterday.

My ref:

Your ref:

11 February 1982

MP 12 1/2

MS

Dear Lord President of the Council,

LEGISLATIVE PROGRAMME 1981-2: EXTENSION OF TENANTS' RIGHT TO BUY

You will be aware of the recent exchange of letters between our Private Secretaries on the prospects for this Bill. I have now seen the Prime Minister's comment in the letter of 2 February from No 10 to your Private Secretary, that it is important to get this Bill on the statute book if we possibly can.

The Bill would be a short measure of approximately 5 clauses which would extend the right to buy to somewhere between 110,000 and 130,000 tenants of local authorities and charitable housing associations who fall outside the provisions of the Housing Act 1980. We are under very great pressure from these tenants and their representatives to deliver the right to buy to them. We have already said, with your agreement, that we shall legislate "as soon as space can be found in the Parliamentary timetable". Although there has of course been no commitment to legislate this Session, as I pointed out in my letter of 16 November, this is the last Session of this Parliament when we can be confident that tenants benefitting from an extension of the right to buy will be successful in completing their purchases before the end of the Parliament.

I am working to have the Bill ready to go to L Committee on 24 February, for introduction immediately afterwards. I would be most grateful if you could let me know quickly whether such a timetable is acceptable from your point of view.

Copies of this letter go to the Prime Minister; the Chief Whip; the Solicitor General; members of L Committee; and to Sir Robert Armstrong.

Your sincerely  
DHS

By MICHAEL HESELTINE

(copy approved by the  
Secy of State and signed  
in his absence)

Rt Hon Francis Pym MP

UNITED STATES

1962 FEB 12 10 30 AM

10/1/62



The National Archives

LETTERCODE/SERIES ..... <i>PREM 19</i> .....	Date and sign
PIECE/ITEM ..... <i>864</i> ..... (one piece/item number)	
Extract/Item details:  <i>Minute from Pattison to Prime Minister dated 5 February 1982</i>	
CLOSED FOR ..... <i>40</i> ..... YEARS UNDER FOI EXEMPTION	<i>18 October 2012 O'Wayland</i>
RETAINED UNDER SECTION 3(4) OF THE PUBLIC RECORDS ACT 1958	
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SCOTTISH OFFICE  
WHITEHALL, LONDON SW1A 2AU

Mike Pattison Esq  
Private Secretary  
No 10 Downing Street  
LONDON SW1

4 February 1982

*Dear Mike,*

DEER (AMENDMENT) (SCOTLAND) BILL

You requested some background briefing on this Bill and an indication of our Ministers' views on the night shooting provisions in particular,

\* I attach three notes which deal with:- \*

- (1) the main issues raised by the Bill;
- (2) the need for night shooting;
- (3) the main organisations involved.

The Secretary of State and Lord Mansfield recognise that, like all measures concerned with wildlife, the Bill will raise considerable interest particularly in the House of Lords. The proposals in the Bill are already a compromise between the various interests involved. There will no doubt be pressure to adopt the continental and English practice of banning night shooting, but on the other hand farmers and crofters, especially in the Highlands, will wish to ensure that they have full freedom to protect their crops in remote areas where there has been traditional difficulty for the Red Deer Commission to play its part in limiting numbers of red deer. Lord Mansfield has agreed with Lord Glenarthur, who is the promoter of the Bill in the House of Lords, that it should be made clear that the position will be reviewed in the light of the arguments which are put forward during the Second Reading debate later this month.

\* Passages deleted and closed, 40 years,  
under FOI Exemption.

*Wayland, 18 October 2012 \**

I hope this information is helpful to you, and if you require anything further please let me know.

*A Muir Russell*  
A MUIR RUSSELL  
Private Secretary

## DEER (AMENDMENT) (SCOTLAND) BILL

## THE MAIN ISSUES RAISED BY THE BILL

The Bill is a Government-sponsored measure, following extensive consultation with outside interests (which are summarised in Note 3). The main issues that emerged during consultation were:-

1. Damage by deer
2. Deer poaching
3. The powers of the Red Deer Commission (RDC).

Damage by Deer (Clauses 3, 4 and 8 of the Bill)

In Scotland deer are increasing in numbers and extending their range. The main problems arise in forests which are being replanted, where roe deer are becoming a serious menace. The most effective way of keeping numbers down is by shooting at night: but at present only the occupier in person (and this excludes employees of the Forestry Commission) can do this. The Bill therefore provides for delegation of the right to shoot at night, subject to specific authorisation by the RDC.

Night shooting is disliked by many in the deer shooting and welfare lobbies, who regard it as unsporting, cruel and dangerous. It is certainly unsporting, but in the right hands it is humane and safe. The forestry interests both public and private would maintain that, in Scottish conditions, it is indispensable.

Deer Poaching (Clauses 7-9)

The increasing demand for venison has raised its price and made poaching a profitable occupation. The Bill proposes various counter-measures including:-

- very much increased penalties;
- more effective controls on dealing in venison, including a new offence of possessing the carcass of a deer known to have been killed unlawfully;
- a restriction on the delegation of the right to shoot deer out of season (delegated rights are alleged to have been widely used as authorisations to poach).

None of these provisions is controversial, but it may be said that they do not go far enough and that, for example, no deer carcass should be sold without an official tag, and that no deer should be shot in defence of crops or forestry without the specific permission of the landowner.

Powers of RDC (Clauses 1-5)

The main issue is whether the remit of the RDC should be widened to include species other than red deer, since the problems associated with these other species are becoming more pressing. The Bill steers a moderate course by:-

- (a) giving the RDC full powers of control over sika deer (closely related to red deer);

- (b) extending the RDC's advisory function so as to enable other species to be covered.

Other Questions liable to be raised on Bill

1. Why does the Bill not simply extend the provisions of the Deer Acts 1963 and 1980, and of the Schedule to the Wildlife and Countryside Act 1981, to Scotland? Through these Acts, particularly the 1981 Act, the law in England now diverges considerably from that in Scotland: for example in England and Wales it is illegal to shoot at night, and the use of shotguns against deer is very much restricted. However, a separate code for Scotland has been considered necessary since 1959 to meet the special problems there. The Bill will bring Scotland more into line with England in several respects, including penalties and the power to control types of firearm and ammunition.
2. Should not the tenant get the permission of the landlord before shooting deer at all? The thought here is that deer are an asset which belongs to the landowner, and this underlies a number of specific amendments (eg relating to night shooting and poaching) which are liable to be raised. The other side of the question is that deer are increasingly a pest and the user of the land for other purposes has legitimate interest in their control.
3. Should not deer farming be controlled by law? Deer farming is becoming increasingly important, and the need for a welfare code is beginning to emerge. But a Private Member's Bill seems hardly the place for such a potentially sensitive and complex code to be introduced.

## DEER (AMENDMENT)(SCOTLAND) BILL

## NEED FOR NIGHT SHOOTING PROVISIONS

The provisions in clause 8 regarding night shooting are, arguably, among the most important in the Bill.

The need for enlargement of the existing powers to shoot at night arises principally from the growth of the roe deer population in Scottish forests. Many of these, especially those owned by the Forestry Commission, have reached first rotation stage and are being re-stocked. This is the stage at which roe deer are at their most destructive, as they browse the young shoots in preference to almost any other form of diet. The end-result may well be to delay the timber harvest by 3 years and to reduce significantly the amount and quality of the crop. Generally speaking, privately-owned plantations in Scotland are not at the re-stocking stage and are less vulnerable to roe deer: but their danger point will come later.

The only effective method of keeping roe deer damage within tolerable proportions is through a heavy and sustained cull. Most culls at present are not heavy enough and the population is rising. To be effective, night shooting is essential as deer are nocturnal creatures. Dawn and dusk shooting may be sufficient for bucks but does are twice as numerous and are mainly culled during the winter (the open season for females). In winter, daylight is short and uncertain, and night shooting is regarded, especially by the Forestry Commission, as an indispensable adjunct.

In the hands of those who are skilled and know the ground, night shooting with a spotlight, while of course not at all sporting, is highly efficient and humane. The deer freeze in the light and a careful and exact aim is possible. On the other hand, it is not easy to follow up and finish off a beast that has been injured by a night shot.

At the moment any occupier has the right to shoot at night a deer found on his enclosed land or woodland. The Bill proposes to leave this right untouched, except by way of limiting the right to shoot to circumstances in which night shooting is necessary to prevent damage to crops, trees etc. The Bill also provides for the right to shoot being delegated by the occupier - a power needed by the Forestry Commission because, in terms of a legal ruling which they have obtained, the occupier in their case is the Forestry Commission itself and does not include any of the Commission's servants or employees.

Since night shooting demands skill and knowledge of the ground, and since the practice should not be employed routinely, it is provided that any delegation of the right to shoot should be vetted by the Red Deer Commission. They are to satisfy themselves both that the shooting is necessary to prevent damage and that the person or persons who are to be authorised are fit and competent to undertake the shooting.

#### Night Shooting within the Bill as a whole

Because of the wide variety of interests affected by the Bill, and the views expressed upon the various matters with which it deals, many of the provisions of the Bill are of a compromise nature (and the same applies to the Deer (Scotland) Act 1959 which the Bill amends). Particularly is this true of clause 8. It tightens up the existing law on out of season shooting - a change which was accepted by farmers and foresters on the understanding that there would be a measure of relaxation on night shooting. To withdraw the night shooting relaxation on its own would upset the package and prejudice the chances of clause 8 as a whole. This would be particularly regrettable, since it contains much of the "meat" of the Bill.



## DEER (AMENDMENT) (SCOTLAND) BILL

## NOTE ON ORGANISATIONS

## A. The main pressure groups are:

Scottish Landowners' FederationPresident: Sir Donald Cameron of Lochiel

The Federation represents the interests both of deer forest owners and of agricultural owner-occupiers, and as such is concerned both with conservation and control. Has yet to declare its position on the Bill as published, but indications are that it will in the end accept it as a reasonable compromise between the interests.

National Farmers' Union of Scotland

NFUS have so far kept a low profile on the Bill. Their interest is to see as little change as possible and in particular no erosion of the present rights of agricultural occupiers.

Timber Growers ScotlandChairman: John Brewis

The representative body for private commercial forestry in Scotland, though many of its members have interests in deer also. Supports the Bill.

British Deer SocietyPatron: HRH The Prince of WalesPresident: Lord Dulverton

The body principally concerned with conservation of deer. Their stated view on night shooting is "we reluctantly concede that in specific circumstances where normal methods of control have failed, night shooting may be necessary".

- B. Other groups with an interest are the British Field Sports Society and the British Association for Shooting and Conservation, both of which broadly support the Bill; and the British Deer Farmers' Association, which may query why the Bill contains no deer farming provisions.

## C. Statutory bodies:

The Red Deer Commission

The Government's statutory adviser on red deer. Its membership includes nominees of all the major interests - including Lord Dulverton from the BDS and the Duke of Atholl from the SLF. Under its terms of reference it has to deal even-handedly as between conservation and control; and its composition is balanced so as to achieve this. It is firmly behind the Bill.

The Forestry Commission

The FC is both a Government department and the major commercial timber grower in the kingdom. In the latter capacity it will face considerably increased costs if the Bill does not pass.

The Nature Conservancy Council

NCC's interests in deer are minor, since (a) the species is not endangered and (b) conservation of red deer is the responsibility of RDC. So far as its interests goes, viz for deer management on lands under its control, it supports the Bill.

100



4 FEB 1982



Sup

Parliament

2 February 1982

LEGISLATIVE PROGRAMME 1981-82:  
EXTENSION OF TENANTS' RIGHT TO BUY

The Prime Minister has seen the recent exchanges between your office and the Secretary of State for the Environment's office about the possibility of adding a short Right to Buy Bill for the programme for the current session.


She has commented that it is important to get this Bill on the Statute Book if we possibly can.

I am sending copies of this letter to Jeff Jacobs (Department of the Environment) and David Wright (Cabinet Office).

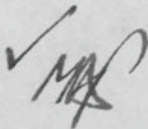
~~M. A. PATTISON~~

David Heyhoe, Esq.,  
Lord President's Office.

JK



Privy Council Office,  
Whitehall,  
London, SW1A 2AT



*With the Compliments*  
*of the*  
*Private Secretary*  
*to the*  
*Lord President of the Council*

Parliament



PRIVY COUNCIL OFFICE  
WHITEHALL, LONDON SW1A 2AT

28 January 1982

New Jeff

TAM

Thank you for your letter of 25 January concerning legislation to extend Tenants' right to buy.

As the Lord President explained in his letter of 20 November, he has noted the candidacy of a Right to Buy Bill for any time which may become available later in the Session for additions to the Legislative Programme agreed by the Cabinet in September. However, the Lord President considers that it is still much too early to judge whether it would be possible to make any additions to the agreed programme for this Session except in the case of Bills in the essential category. I should add that he was puzzled by your reference to "the latest position on the Canada Bill" since this measure has yet to be given a Second Reading and the timing of its further progress remains most uncertain. The Lord President therefore considers that the prospects for early introduction of a Right to Buy Bill are slight.

Accordingly, he does not believe that it would be appropriate for the Bill to be brought forward for consideration by the Legislation Committee. This step can only be taken after a final decision has been taken on whether or not it will be possible to add such a Bill to the programme this Session.

I am copying this letter to the recipients of yours.

*Yours sincerely*  
*N P M Huxtable*

N P M HUXTABLE  
Private Secretary

Jeff Jacobs Esq  
Private Secretary to the  
Secretary of State for the Environment  
2 Marsham Street  
LONDON



2 MARSHAM STREET  
LONDON SW1P 3EB

My ref: H/PS0/10213/82  
Your ref:  
25 January 1982

*It is important to Prime Minister  
get this bill on the  
statute book if  
possible can  
not*

LEGISLATIVE PROGRAMME 1981-82: EXTENSION OF TENANTS' RIGHT TO BUY

My Secretary of State wrote to the Lord President on 16 November about the possibility of adding a short Right to Buy Bill to the programme for the current session. In his reply (20 November) Mr Pym said that whilst it was much too early to make any firm additions to the programme, he would be content for Parliamentary Counsel to proceed with drafting, to the extent that his other commitments allowed.

Further drafting has in fact recently been possible, and we should now be in a position to have the Bill ready for introduction in the latter half of February. For the reasons given in his previous letter, Mr Heseltine believes that it is of considerable importance that any extension of the right to buy is enacted this session rather than next. In view of this, and of the latest position on the Canada Bill, Mr Heseltine would be grateful for any indication Mr Pym can give of the prospects for early introduction. Would Mr Pym be content for us to go to Legislation Committee as soon as drafting is completed? Policy clearance has of course already been obtained.

I am copying this to the Private Secretaries to the Prime Minister; the Chief Whip; the Solicitor General; members of Legislation Committee; and Sir Robert Armstrong.

*Yours sincerely  
Jeff Jacobs*

J JACOBS  
Private Secretary

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26 JAN 1982



Parliament

*[Handwritten initials]*

From: THE PRIVATE SECRETARY



HOME OFFICE  
QUEEN ANNE'S GATE  
LONDON SW1H 9AT

21 DEC 1921

*Dear David*

POLICE (COMPENSATION FOR DEPENDANTS IN CASE  
OF DEATH OFF DUTY) BILL

We have seen a copy of Brendan O'Gorman's letter of 16th December.

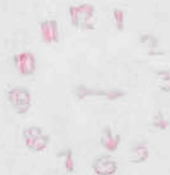
The Home Secretary is content with the line proposed by the Secretary of State for Social Services.

I am copying this letter to Private Secretary to members of L Committee, to Brendan O'Gorman (D.H.S.S.), Mike Hopkins (No.10) and to David Wright.

*Yours sincerely*  
*C. J. Walters*  
C. J. WALTERS

David Hayhoe Esq.

22 DEC 1961



GOVERNMENT LEGISLATION(i) Second Reading

Consolidated Fund  
 Criminal Justice  
 Hops Marketing (L)  
 Local Government Finance (No 2)  
 Oil and Gas (Enterprise)

(ii) Standing Committee

Local Government (Misc.Prov.)  
 Local Government and Planning (Scotland)  
 Social Security and Housing Benefits  
 Transport (Finance)

(iii) Report and Third Reading

Currency

(iv) <u>Orders and Regulations</u>	<u>Date Laid</u>	<u>Whether Controversial</u>	<u>Date Required</u>
*Employment Protection	7/12	No	In W.C. 18/1
Industrial Relations (N.I.)	20/10	Yes	A.S.A.P
*Marine Fish Farming	27/11	No	By Xmas
Motor Vehicles	10/12	No	No deadline
Oil Taxation	14/12	No	By 29/1
Remand (Temporary Provisions) (N.I.)	17/12	Maybe	Within 40 sitting days of 16/12
Rates Amendment (N.I.)	17/12	Maybe	By P.C. Mtg. on 10/2
*Unfair Dismissal	7/12	No	In W.C. 18/1
VAT (2)	11/12	No	By 1/2

## \*S.I. Committee

Lords

/Agricultural Training Board (L)  
 Civic Government (Scotland) (L)  
 Civil Aviation (Amendment)  
 Civil Jurisdiction and Judgments (L)  
 Fire Service College Board  
 (Abolition) (L)  
 Harbours (Scotland) (L)  
 /Industrial Training (L)  
 Mental Health (Amendment) (L)

Lords (Cont)

Reserve Forces (L)

Shipbuilding

Social Security (Contributions)

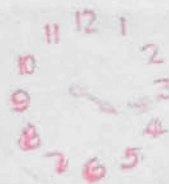
∅ Consolidation

Awaiting Royal Assent

Housing (Amendment) (Scotland)

Nuclear Industry (Finance)

18 DEC 1981



PRIME MINISTER

There are now three matters which will arise under Parliamentary affairs:

1. Scottish Rating Revaluation. The Home Secretary will report the conclusions of this morning's H discussion. (Committee paper at Flag A.)

I HAVE JUST HEARD THAT H AGREED TO POSTPONE A STATEMENT ON THIS ISSUE UNTIL 8 JANUARY. I BELIEVE THAT THE HOME SECRETARY FEELS IT UNNECESSARY TO REPORT TO CABINET, BUT YOU MIGHT LIKE TO CONFIRM THIS WITH HIM AS CABINET ASSEMBLES.

2. Housing Surpluses. Mr. Heseltine wants to raise his disagreement with the Chief Secretary, which is set out in the letter at Flag B.

3. You agreed to give Mr. Heseltine an opportunity to make his point about the priority attached by the Government to achieving targets for LA current expenditure - papers at Flag C.

4. Mr Howell will *MP* now want to read the House of Lords decision on Bromley v. G.C., and discuss Parliamentary handling.

Focus → P.M  
 Supplementary note →



DEPARTMENT OF HEALTH AND SOCIAL SECURITY  
 ALEXANDER FLEMING HOUSE  
 ELEPHANT AND CASTLE  
 LONDON S.E.1  
 TELEPHONE: 01-407 5522

David Heyhoe Esq  
 Private Secretary to  
 the Lord President of the Council  
 Privy Council Office  
 Whitehall  
 London  
 SW1A 2AT

16 December 1981

Dear David

POLICE (COMPENSATION FOR DEPENDANTS IN CASE OF DEATH OFF DUTY) BILL

You will have seen that Mr Richard Page is seeking leave to introduce a ten minute rule Bill on Tuesday 22 December 1981 which aims to provide full compensation under the industrial injuries scheme for widows and other dependants of police killed when off duty.

The background to the Bill is not known. It would have police officers treated as a special case under the industrial injuries scheme. There are already provisions covering an officer who, although otherwise off duty, is injured when he resumes the course of his employment by intervening in a situation which requires police action. Apart from such occasions, industrial injuries benefits are available to policemen, as to other employed earners, only where injury or death results from accidents arising out of and in the course of employment. The Government could not accept an amendment to that basic condition on behalf of a special group.

In any case, one of the proposals in the recently published White Paper 'Reform of the Industrial Injuries Scheme' (Commd 8402) is that death benefits under the industrial injuries scheme should be abolished in favour of the benefit cover which already exists under the main national insurance scheme.

My Secretary of State therefore wishes that steps should be taken to ensure that the Bill does not make progress.

As in the time available I have been unable to consult other Departments, I am copying this letter to members of L Committee, Colin Walters (Home Office), Mike Hopkins (Northern Ireland) and Peter Moore (Chief Whips Office) and I would be grateful if they could send their comments direct to you. A copy goes to Sir Robert Armstrong for information.

yours  
 Brendan O'Gorman

BRENDAN O'GORMAN  
 Private Secretary

222 DEC 1961

11 12 1 2 3 4  
5 6 7 8 9 10





Ref: B06359

PRIME MINISTER

c Sir Robert Armstrong

Powers of Direction Over Ports  
(OD(81) 56)

## BACKGROUND

1. The Defence Secretary seeks the Committee's approval to take legislative powers of direction over United Kingdom ports. These would be reserve powers, for use in case of military necessity. Their purpose would be to ensure the effective operation of ports, and priority for British and Allied armed forces, in the event that it was decided to move British and American reinforcements to the Continent of Europe to meet a military threat from the Warsaw Pact. The proposal has nothing to do with civil emergencies, such as a strike occurring in peacetime. Similar powers of direction already exist over civil aviation, British registered ships, railways and civil airports; and there are powers to requisition vehicles, aircraft and stores.
2. Powers of direction over ports have not previously extended to all United Kingdom ports. Under the Transport Act 1962 they did extend to those controlled by the British Transport Docks Board (BTDB) and to Sealink facilities owned by British Rail. But these powers were lost when the Transport Act 1981 came into force. The Ministry of Defence would have preferred that provision to retain these powers should have been included in the Transport Act 1981; but they were not consulted by Department of Transport officials until the Bill was already before the House, and it was not found possible to include a suitable amendment before the Bill finished its passage through both Houses.
3. Even the 1962 Act, when it existed, was unsatisfactory to the Ministry of Defence, since it only covered about a third of our major ports. It excluded eg London, Dover, Liverpool, Tyne, Tees, Forth and Clyde. If new powers are to be taken, therefore, the Defence Secretary would like them to be comprehensive.
4. When hostilities were imminent, sweeping powers would have to be taken under an Emergency Powers (Defence) Bill. Ports would then be fully covered. But in the Ministry of Defence view this might well come too late. It is certainly true that there could well be tension at that stage between the



military need for special powers and the political need not to appear to be war-mongering. The Bill, which exists in draft, is a pretty blunt instrument; and this will not be wholly remediable even when a more flexible draft is available, which is bound to take time.

5. A further cause for Ministry of Defence concern is that the 1981 Transport Act, being designed to enable BTDB and Sealink ports to be privatised, may lead to some of them being acquired by foreign interests. In the case of Sealink Ministry of Defence Ministers have written to the Department of Transport to make clear that they would not be happy to see this happen unless reserve powers of direction were available.

6. For all these reasons the Defence Secretary wishes to include suitable powers over (all) ports in the next appropriate legislative instrument. This means the Transport Bill B, which is expected to be introduced on 28th January (L Committee will consider it on 27th January) but may slip further. If this is agreed, instructions will have to go at once to Parliamentary Counsel so that the introduction of the Bill is not delayed. (The Transport Financial Provisions Bill would not be a suitable vehicle, and is in any case already before the House.)

7. The Secretary of State for Transport is opposed to including powers of direction in a Transport Bill this Session, since it would cause him embarrassment to reinstate a power which has already been abandoned and to extend it to all ports in the United Kingdom. He maintains that the port authorities have always co-operated fully in defence planning and would regard powers of direction as unnecessary. He may also argue that before publishing a Bill with new reserve powers he would need to consult port authorities, which might mean delaying the B Bill's introduction. But consultation should not take more than a month, and should therefore be complete by about 28th January even allowing for Christmas.

8. Finally, if reserve powers are to be taken contrary to his wishes, the Secretary of State for Transport may argue that they could not be confined to BTDB and Sealink ports, as in the status quo ante, since in current circumstances that would look like the imposition of discriminatory servitudes on those ports which the private sector are being invited to acquire.



## HANDLING

9. You will wish to invite the Defence Secretary to introduce his paper, and then ask the Secretary of State for Transport for his views. You will also wish to invite the Home Secretary to comment, in view of his Department's general responsibility for emergency planning. Points to establish in subsequent discussion are -

- a. Are the proposed powers really necessary? What would they enable the Government to do which could not be done in their absence? How important is it to be seen to have them, for the sake of our relations with NATO and in particular with the Americans? Could lack of them create the impression that the Government were less than whole heartedly committed to the speedy reinforcement of the Alliance's forces in Germany if the international situation deteriorated? The Lord Privy Seal should comment on this. Is there a risk that, in an international crisis, the Emergency Powers (Defence) Bill would be passed too late, because it would be regarded as too conspicuous a sign that the Government were making active preparations for war?
- b. Are powers of direction needed for all United Kingdom ports? What would be the implications of applying them only where they previously applied ie to BTDB and Sealink ports? Would it be sufficient if steps were taken to ensure that these ports remained in British ownership if privatised?
- c. Would the ports authorities object to the proposed powers? Should they be consulted before we publish any Bill which included such a provision? How long would that take?
- d. If the Committee agree that statutory powers are necessary, when would be the best opportunity to take them? Would it be likely to stir up controversy in Parliament to include them in the Transport B Bill and thus make that Bill's passage more difficult and lengthy? On the other hand, might not a Transport Bill this Session be the natural place for a measure which simply tidies up a situation arising primarily from the Transport Act passed in the last Session? If consulting the ports authorities cannot be completed before First Reading on 28th January,



could the reserve powers provision be added in during the Committee Stage? Alternatively could First Reading be delayed by a week or two? The Lord President should comment. The Home Secretary could also explain why it would not make sense to await the eventual redrafting of the Emergency Powers (Defence) Bill.

## CONCLUSION

10. Subject to the discussion, the Committee might be guided to agree
  - a. that reserve powers of direction over ports should be restored and that they should preferably be extended to apply everywhere in the United Kingdom;
  - b. that suitable provision should be included in this Session's Transport B Bill, if this would not be likely to cause particular controversy in Parliament and thus delay the Bill's passage.

*R L Wade-Gery*

15th December 1981

R L WADE-GERY

"For Information"



## CABINET OFFICE

70 Whitehall, London SW1A 2AS Telephone 01-233 7665

14 December 1981

Dear Private Secretary

## LEGISLATIVE PROGRAMME 1982/83

I am writing to ask you for your Minister's proposals for legislation in the 1982/83 session of Parliament.

2. I should be grateful if you could let me have four copies of your Department's summary of proposals, set out in the pro forma at Annex A, together with four copies of the pro forma at Annex B for each Bill. I enclose notes of guidance on the completion of the pro forma. We should be grateful if you would follow these closely, and if we can give you any further elucidation we shall be glad to do so. A number of Departments last year failed to comply with the notes of guidance, which led to time-consuming supplementary enquiries. You should assume a session of normal length, starting in the autumn of 1982, and should include, if required, any Bills put forward for 1981/82 but not now likely to be enacted this session.

3. You will know of the pressures on the legislative programme in the previous sessions in this Parliament. As a result a number of Bills originally proposed for 1981/82 have had to be deferred and QL Committee has already noted them as candidates for 1982/83. You should include full details of such Bills in your return. Ministers may well aim for a programme about the same length as for the present session. The number of long or controversial bills that can find a place in the programme will therefore be very limited, and it would avoid unnecessary work, and raising false expectations, if Departments pruned their bids accordingly. (We have once again not asked for bids for a "reserve" list).

4. This note must end with the familiar point about the need for correct attention to timing. Bills which can be got ready at, or very near, the beginning of the session are likely to be preferred to others. Bills which are not ready early run the risk that insufficient time will be available for their enactment; furthermore, they tend to jeopardise the whole programme for the session. It is important that Departments should indicate the likely state of preparedness of the Bill and give the best realistic estimates of the dates when the Bill will have completed each of its preparatory stages (see paragraph 7 of the notes of guidance). Experience

Private Secretary to:  
Prime Minister

has repeatedly shown that there is nothing to be gained by making unrealistic and over-optimistic estimates of when a Bill is likely to be ready. This leads to Parliamentary time being lost and can prejudice a Bill's place in the programme. Please assess carefully the time it will take to draft the Bill, a matter which is habitually under-estimated. We should be most grateful for the co-operation of Departments in this respect.

5. I should be grateful to receive replies not later than Friday 22 January 1982 (earlier than that if possible).

Yours sincerely

*R.M. Whalley*

R M WHALLEY

Encs

**CONFIDENTIAL**

ANNEX A

DEPARTMENT'S BILLS PROPOSED FOR THE  
LEGISLATIVE PROGRAMME 1982-83

Please list each Bill in its proposed category and in its order of priority within that category.

CATEGORY

TITLE OF BILL

LENGTH

**CONFIDENTIAL**

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ANNEX B

OUTLINE PRO FORMA FOR EACH BILL PROPOSED FOR 1982-83 LEGISLATIVE PROGRAMME

1. DEPARTMENT
2. TITLE OF BILL
3. LENGTH OF BILL
4. PURPOSE OF BILL
5. PROPOSED CATEGORY
6. DEPARTMENTAL PRIORITY
7. STATE OF READINESS
8. TIMING
9. PARLIAMENTARY PROCEDURE
10. THE POLITICAL DIMENSION
11. PUBLIC EXPENDITURE AND MANPOWER IMPLICATIONS
12. EUROPEAN COMMUNITY (EC) IMPLICATIONS

CONFIDENTIAL



**CONFIDENTIAL**

NOTES ON COMPLETING THE PRO FORMA FOR  
EACH BILL PROPOSED FOR 1982-83 LEGISLATIVE PROGRAMME

1. DEPARTMENT

2. TITLE OF BILL

3. LENGTH OF BILL

An estimate of the length of the Bill is needed so that the demands on drafting capacity and Parliamentary time can be assessed at the earliest possible stage. An accurate forecast of the number of clauses and schedules will not normally be possible, but some indication such as "very short" (not more than 3-4 clauses), "short" (up to 12 clauses), "medium" (12-25 clauses), "substantial" (25-50 clauses), or "long" (over 50 clauses) would be useful.

4. PURPOSE OF BILL

Please list the various topics in the Bill (with a brief indication of the purpose of each). The list should cover all the topics likely to be included in the Bill. There is likely to be resistance by the business managers and other members of Legislation Committee to substantial additions at a later stage to the Bill as described in the pro forma.

5. PROPOSED CATEGORY

Where a Bill would cover more than one distinct topic, the appropriate category should be indicated separately for each topic.

The categories for proposed Bills are -

I Essential. Bills which must be enacted during the Session - eg because existing powers or finance would otherwise expire or because of treaty obligations. Please give the reason(s). This category should not be used simply to reflect a high political priority. Additional non-essential items can sometimes be included in an essential Bill, but consideration will need to be given to the length of the Bill and to the need to avoid controversial provisions which might affect the Bill's enactment by the required date.

**CONFIDENTIAL**

II Contingent. Bills which might during the Session become Essential as defined above.

III Programme. Bills which can already be identified as being desirable and likely to be ready for enactment during the 1982-83 Session. The reasons for enacting the Bill next Session should be stated and any specific disadvantage in delay made clear. (See also 10 below).

IV Other. Bills which do not have sufficient priority for the Programme category but which there would be advantage in enacting in 1982-83 if Parliamentary time could be found. Any which might be suitable for a Private Member should be separately identified.

6. DEPARTMENTAL PRIORITY

Please mark each of your bids for legislation with the strict order of priority within each category.

7. STATE OF READINESS

We need to have the best possible estimates of the date by which -

- a. Ministers' collective policy clearance will be sought (ie from the appropriate Ministerial Cabinet Committee). Indicate specifically those policy areas which remain to be settled or on which policy decisions may be protracted;
- b. complete instructions will be ready for Parliamentary Counsel;
- c. the Bill is expected to be ready for introduction.

It is important to have accurate estimates in order to plan for the best use of Parliamentary time in the coming session. Over-optimistic timetables are unhelpful all round. Please be specific - indicate "early", "mid" or "late" when naming a month. In cases of doubt, earliest and latest dates for each stage of the Bill's preparation should be given. Account should be taken of Parliamentary Counsel's absence on leave (normally the whole of August).

8. TIMING

Please give, with reasons, the date by which Royal Assent is needed for Essential and Contingent Bills, and where appropriate, target dates for the enactment of Bills in other categories. It would be helpful to distinguish between Bills for which Royal Assent before the end of the session is desirable and those for which Royal Assent by a certain date is likely to be essential, eg because borrowing limits will otherwise be exceeded.

9. PARLIAMENTARY PROCEDURE

A Bill may be suitable for special forms of Parliamentary procedure. Please state whether it might be suitable for any of the following -

- a. Second Reading Committee procedure in the Commons - that is, the Bill is likely to be accepted on all sides of the House as uncontroversial and of little or no political significance;
- b. Special Standing Committee Procedure - that is, consideration by a Standing Committee empowered to hold up to three evidence-taking sessions within a limited period before detailed consideration of the Bill. Would the Bill be a suitable candidate for this procedure if last Session's experimental procedure were to be repeated? Bills for Special Standing Committee Procedure should be of some significance, but should not be controversial in a party political sense;
- c. Scottish or Welsh Grand Committee procedure in the Commons;
- d. Offering to a Private Member successful in the ballot - that is, short, simple, non-constitutional, non-controversial and without significant financial implications;
- e. Lords introduction.

10. POLITICAL ASPECTS

Please state whether the Bill arises from a Manifesto commitment or from established party policy and whether any firm public commitments have been given about its introduction or timing. Please also cover briefly -

- its likely reception in the House;
- whether there is pressure from groups representing particular interests;
- whether it will be controversial politically or for any other reasons;
- whether it will appeal to or be strongly opposed by any particular sections of the community;
- what the attitude of the official Opposition to it will be;
- whether it will arouse particular interest in the House of Lords.

11. PUBLIC EXPENDITURE AND MANPOWER IMPLICATIONS

Please indicate the effect on central and local government expenditure and manpower of the proposed Bill for the PESC period, and whether PESC provision has been made for any necessary expenditure. Any separate implications for the Public Sector Borrowing Requirement (PSBR) should also be mentioned, especially if they affect the date by which Royal Assent is required (see 8 above).

12. EUROPEAN COMMUNITY (EC) IMPLICATIONS

Please say whether the Bill is required to fulfil any European Community (EC) commitments. If so, any relevant timing considerations should be mentioned under 8 above.

GOVERNMENT LEGISLATION(i) Second Reading

Criminal Justice  
 Hops Marketing (L)  
 Local Government Finance  
 Social Security (Contributions)

(ii) Standing Committee

Currency  
 Local Government (Misc.Prov.)  
 Local Government and Planning (Scotland)  
 Social Security and Housing Benefits  
 Transport (Finance)

(iii) Report and Third Reading

Civil Aviation (Amendment)  
 Housing (Amendment) (Scotland)

(iv) <u>Orders and Regulations</u>	<u>Date Laid</u>	<u>Whether Controversial</u>	<u>Date Required</u>
*Company and Business Names	25/11	Maybe	By Xmas
Education (Assisted Places)	2/12	Yes	For debate, 16/12
Employment Protection	7/12	No	In W.C. 18/1
*Hill Livestock	1/12	No	By Xmas
Industrial Relations (N.I.)	20/10	Yes	A.S.A.P.
*Marine Fish Farming	27/11	No	By Xmas
Motor Vehicles	10/12	No	No deadline
Northern Ireland (Emergency Provisions)	2/12	Yes	For debate, 15/12
Scottish Special Housing Association	25/11	Yes	For debate, 15/12
Unfair Dismissal	7/12	No	In W.C. 18/1
Welsh Water Authority	1/12	Yes	For debate, 14/12

\*S I Committee

Lords

∅Agricultural Training Board (L)  
 Civic Government (Scotland) (L)  
 Civil Jurisdiction and Judgments (L)

GOVERNMENT LEGISLATION (Cont )

Lords

Fire Service College Board (Abolition) (L)

Harbours (Scotland) (L)

∅ Industrial Training (L)

Mental Health (Amendment) (L)

Nuclear Industry (Finance)

Shipbuilding

∅ Consolidation

PRIME MINISTER

Statements Next Week

The two main issues for statements next week are the changes in the Local Government Finance Bill and the Rates Green Paper. There are some timing problems, and the best solution is for Mr. Heseltine to cover both points in a single statement on Wednesday. The reasoning, and the outstanding issues, are summarised in Mr. Heseltine's letter below, to which he attaches an outline of the statement. He makes it clear that this contains the substance, but that he has not yet gone through it with an eye to presentation.

There are problems yet to be resolved with the Treasury. At Cabinet, you made it clear that you supported Mr. Brittan's plea that these matters should be properly resolved, and that he should not be bounced by the demands of the Parliamentary timetable - as he felt happened last week over inner cities. Are you content that these matters should be handled in a single statement, on the lines of the attached skeleton, provided matters are resolved with the Treasury?

I understand that Mr. Jenkin still hopes to make a statement on Monday on private sector steel. We may not see a draft until Monday morning.

On Tuesday, Mr. Tebbit will make his industrial training statement, a draft of which is elsewhere in the box.

On Thursday, Mr. Jenkin is scheduled to make a statement about regional development grants.

*Is this have to be made orally to the House?*

*MA*

11 December 1981

GOVERNMENT LEGISLATION(i) Second Reading

Criminal Justice  
 Currency  
 Local Government and Planning (Scotland)  
 Local Government Finance  
 Social Security (Contributions)

(ii) Standing Committee

Civil Aviation (Amendment)  
 Housing (Amendment) (Scotland)  
 Local Government (Misc.Prov.)  
 Social Security and Housing Benefits  
 Transport (Finance)

(iii) Orders and Regulations

	<u>Date Laid</u>	<u>Whether Controversial</u>	<u>Date Required</u>
*Common Fund for Commodities	19/10	Maybe	By Xmas
Company and Business Names	25/11	Maybe	By Xmas
*Double Taxation Relief (4)	13/11	No	By 4/12
Education (Assisted Places)	2/12	Yes	By Xmas
Films	1/12	No	By Xmas
Hill Livestock	1/12	No	By Xmas
Industrial Relations (N.I.)	20/10	Yes	By PC.Mtg on 16/12
*International Natural Rubber Organisation	19/10	Maybe	By Xmas
Marine Fish Farming	27/11	No	By Xmas
Northern Ireland (Emergency Provisions)	2/12	Yes	By Xmas
*Rent Assessment Committees	10/11	Maybe	By Xmas
Scottish Special Housing Association	25/11	Yes	By Xmas
Transfer of Undertakings	26/11	No	For debate, 7/12
Welsh Water Authority	1/12	Yes	By Xmas

\* S.I. Committee

Lords

∅Agricultural Training Board (L)  
 Civic Government (Scotland) (L)  
 Civil Jurisdiction and Judgments (L)



GOVERNMENT LEGISLATION (Cont.)

Lords

Fire Service College Board (Abolition) (L)

Harbours (Scotland) (L)

Hops Marketing (L)

∅ Industrial Training (L)

Mental Health (Amendment) (L)

Nuclear Industry (Finance)

Shipbuilding

∅ Consolidation

PRIME MINISTERStatements Next Week

At present we have only two bids.

You have agreed already that Mr. King should make his Statement on Monday about the MMC Report on the Severn Trent Water Authority.

Mr. Heseltine hopes to make a Statement on Wednesday about resources for the Inner Cities. He is already in touch with the Home Secretary who is in favour. We will see a draft early next week.

*[Handwritten signature]* *[Handwritten initials]*

4 December 1981

CONFIDENTIAL

Prime Minister's Parliament ②

MUS 4/12

PRIVY COUNCIL OFFICE

WHITEHALL, LONDON SW1A 2AT

4 December 1981



Dear Patrick,

MS

Thank you for your letter of 27 November about the proposed legislation on regional development grants. As you say, Cabinet has already agreed that the legislation should be introduced in the current Session, and in the circumstances I am happy to give my authority for the employment of Parliamentary Counsel on the drafting of the Bill.

You will recall that I warned Cabinet colleagues recently that the congestion of major bills in the Commons at the beginning of next year meant that the business managers could not guarantee that the deadlines originally specified for Royal Assent for particular bills could necessarily be met. We shall, of course, use our best endeavours to ensure that the RDG legislation is passed by the end of March, but the timetable is an extremely tight one, and I hope that you will do everything possible to ensure that the Bill is ready for introduction very soon after the Christmas Recess.

I am copying this letter to the recipients of yours.

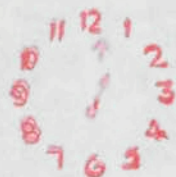
Mrs Loh  
Jenkins

FRANCIS PYM

The Rt Hon Patrick Jenkin, MP  
Secretary of State for Industry  
Ashdown House  
123 Victoria Street  
LONDON

CONFIDENTIAL

-4 DEC 1981

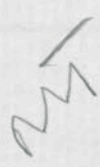




10 DOWNING STREET

Prime Minister

In addition to the points  
below,

(i) The hon. President   
will raise the question  
of Special Standing  
Committees

(ii) Under business, he  
will give notice of  
recess dates

Dec 23 - Jan 18

MA.

PRIME MINISTER

Parliamentary Affairs

I understand that the Lord Privy Seal (or possibly the Foreign and Commonwealth Secretary) will raise the question of the Bill on Patriation of the Canadian Constitution. He has been in correspondence with the Business managers about this recently.

There may be something of a postmortem on the Chancellor's Statement. The assumption at present is that the Chancellor and the Chief Secretary will speak in next Tuesday's debate but Ministers may want to consider whether the Secretary of State for Social Services should be involved at some stage.

2 December 1981

*Parkhurst*

*MS*

*MA*

*MBPM*  
*Minister Parliament*



DEPARTMENT OF INDUSTRY  
 ASHDOWN HOUSE  
 123 VICTORIA STREET  
 LONDON SW1E 6RB

TELEPHONE DIRECT LINE 01-212 3301  
 SWITCHBOARD 01-212 7676

Secretary of State for Industry

27 November 1981

The Rt Hon Francis Pym MC MP  
 Lord President of the Council  
 and Leader of the House of Commons  
 Privy Council Office  
 Whitehall  
 London SW1

*Dear Francis,*

PROPOSED LEGISLATION ON REGIONAL DEVELOPMENT GRANTS (RDG)

As you know, Cabinet agreed yesterday, following discussion in E Committee, that urgent legislation should be introduced in this Session of Parliament to enable cuts to be made in the Department's expenditure on RDGs.

2 The purpose of the legislation would be to limit the amount of RDG payable in respect of large capital intensive projects, yielding public expenditure savings of £50m a year from 1983/4 onwards. After E Committee discussions it was agreed that this could only be achieved by legislation.

3 I am therefore seeking your formal agreement to bringing this Bill into the programme for the current Session of Parliament. I intend to keep the Bill as short and simple as possible and hope that drafting can be completed in time for it to be introduced very early next year. It would need to become law by 31 March 1982 to produce the required savings.

4 I shall be putting a paper to Ministers with a direct interest in the matter shortly, explaining the details of the changes that will be made to the RDG scheme. But in view of the urgency of the matter and as Cabinet has agreed that legislation should be introduced this Session, I would be grateful for your agreement now also for employing Parliamentary Counsel on drafting the Bill.

5 I am copying this letter to the Prime Minister, to Willie Whitelaw as Chairman of QL Committee, to members of E Committee, to George Younger and Nicholas Edwards, to Michael Jopling and Janet Young and to Sir Robert Armstrong.

*Your ever*  
*Patel*

30 NOV 1984







✓  
MAD

Parliament  
HOME OFFICE  
QUEEN ANNE'S GATE  
LONDON SW1H 9AT

26th November, 1981

### CRIMINAL JUSTICE BILL

Legislation Committee agreed yesterday evening that this Bill should be introduced in the week beginning 30th November. I should be grateful if you would arrange for the Notice of Presentation to be tabled on Tuesday, 1st December for introduction of the Bill at the commencement of public business on Wednesday, 2nd December, and publication on Thursday, 3rd December.

The Bill should be presented by Mr. Secretary Whitelaw, supported by:

Mr. Secretary Younger  
Mr. Secretary Edwards  
Mr. Secretary Fowler  
Mr. Attorney General  
Mr. Patrick Mayhew

There will be no lobby conference but it would be helpful if you would arrange for 40 copies of the Bill addressed to the Home Secretary to be delivered to the Vote Office on the morning of 3rd December.

I am sending copies of this letter to Mike Pattison (Prime Minister's Office), Leonard Harris (Cabinet Office), Nick Huxtable (Lord President's Office), Murdo Maclean (Chief Whip's Office, Commons), Michael Pownall (Chief Whip's Office, Lords) and Brian Shillito.

T. C. MORRIS  
Parliamentary Clerk

J. D. M. Rennie, Esq.



HOME OFFICE  
QUEEN ANNE'S GATE  
LONDON SW1H 9AT

25th November, 1981.

FIRE SERVICE COLLEGE BOARD (ABOLITION) BILL

I am writing to confirm that, as the Opposition have agreed that this Bill should be considered in due course under the Second Reading Committee Procedure in the House of Commons, the way is now clear for its introduction in the Lords.

Lord Belstead has agreed to introduce the Bill at the beginning of business on Tuesday, 1st December and I should be grateful if you would arrange for the Bill, backed by Lord Belstead to be handed in for introduction on that day and published on 2nd December.

I am copying this letter to  
Mike Pattison (Prime Minister's Office)  
Leonard Harris (Cabinet Office) Nick Huxtable  
(Lord President's Office) Michael Pownall  
(Chief Whip's Office; Lords) Murdo Maclean  
(Chief Whip's Office; Commons) and  
Brian Shillito.

T. C. MORRIS  
Parliamentary Clerk

Stephen Mason, Esq.

PRIME MINISTER

Parliamentary Affairs

Cabinet will be discussing national insurance legislation, but this is perhaps best taken as part of the public expenditure item.

I am aware of only one other point which may be raised under Parliamentary Affairs. This is the question of speakers in Monday's debate about the PAC report on the C & AG. I mentioned to you last week that the Treasury and DOE had not resolved the question of speakers. Mr. Pym told Cabinet that he was sure this could be sorted out between Departments, but I understand that Environment are reluctant to put up anybody and, when pressed, have only offered Giles Shaw. They argue that Tom King is much preoccupied with RSG and other local authority finance issues. The Treasury are reluctant to put up two Ministers. I have not been able to find out Mr. Pym's personal view, but I think he will put this to Cabinet in the morning.

MD

Coal.  
Low Cost  
Canada.  
Chancellor.  
R.D.K.

25 November 1981



PRIVY COUNCIL OFFICE  
WHITEHALL, LONDON SW1A 2AT

20 November 1981

*mb*  
Prime Minister

*MAD 20/11*

*Dear Michael,*

Thank you for your letter of 16 November, in which you asked for drafting authority for a Bill extending the right to buy, to be introduced shortly after Christmas.

As you say, Cabinet on 24 September recognised that dropping from the Queen's Speech the references to housing policy (other than unified housing benefit) would not necessarily prevent some of the provisions which you originally proposed being introduced in a separate measure later "if the Parliamentary timetable permitted". However, I believe that we are at much too early a stage in the Session to judge whether it would be sensible to make additions to the programme agreed by colleagues. Our plans for the period up to Christmas have of course been disrupted as a result of the problems your own Local Government Finance Bill has encountered, and the timing of several other major Bills, including Canada, remains uncertain. For the moment, therefore, I would not be prepared to go further than to note your proposed Bill as one of the candidates for any time which may become available.

I would not object to Parliamentary Counsel making use of any gaps in their programme to begin the work on further drafting which you mentioned, provided that this work does not in any way interfere with the preparation of the bills already in the programme.

I am copying this letter to the recipients of yours.

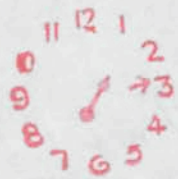
*M. Heseltine*

*Francis Pym*

FRANCIS PYM

The Rt Hon Michael Heseltine MP  
Secretary of State for the  
Environment  
2 Marsham Street  
London SW1P 3EB

20 NOV 1981



4

HOUSE OF LORDS,  
SW1A 0PW

Prime Minister

One more sign of the  
general sniping at Mr Heseltine  
from his colleagues, on legislation.

With the  
Lord Chancellor's Compliments

MP  
11/11

FROM:

THE RT. HON. LORD HAILSHAM OF ST. MARYLEBONE, C.H., F.R.S., D.C.L.



HOUSE OF LORDS,  
SW1A 0PW

CONFIDENTIAL

18th November, 1981

The Right Honourable  
Francis Pym, MC MP  
Lord President of the Council,  
Privy Council Office.

Dear Francis:

Legislative Programme 1981/82:  
Extension of Tenants' Right to Buy

Michael Heseltine has copied to me his letter to you of 16th November in which he seeks your approval for the drafting of a short Bill extending the right to buy, and making amendments to the present provisions.

I have of course no objections to the policy, but I am concerned about Michael's suggestion that his Bill should be drafted as quickly as possible, and introduced as shortly as possible after Christmas. Both drafting resources and Parliamentary time are limited, and the granting of either at this stage to a new Bill can only be at the expense of a Bill already in the Government's programme. I have in mind in particular the Administration of Justice Bill and the Legal Aid Bill. I am responsible for both, and both are at present held up because the draftsmen assigned to them are dealing with Bills with a higher priority. I had at one time hoped that the Administration of Justice Bill would have its Second Reading before Christmas, and Janet Young has just written to seek my assurance on this point; but it now seems that I shall be lucky if the Bill is ready for introduction by then.

I would have no objection to your granting drafting permission to the proposed Housing Bill if Michael were prepared to postpone one of the other Bills for which he is responsible, but I would have grave misgivings if one of my own Bills were adversely affected. I do not doubt that other colleagues feel similarly about Bills for which they are responsible.

I would be glad if you could bear this point in mind when considering Michael Heseltine's request. I am copying this letter to him and to the recipients of his letter.

Yrs :

CONFIDENTIAL



19 NOV 1984  
5 4 2 1  
3 5 6 7 8 9



NBPM yet

*With the compliments of  
the Solicitor-General*

MD  
19/81

*Attorney General's Chambers,  
Law Officers' Department,  
Royal Courts of Justice,  
Strand. W.C.2A 2LL*

01 405 7641 Extn. 3407

*Parliament*

01-405 7641 Extn

ROYAL COURTS OF JUSTICE  
LONDON, WC2A 2LL

18 November, 1981

The Rt. Hon. Francis Pym, MC MP,  
Lord President of the Council,  
Privy Council Office,  
Whitehall,  
London SW1.

*Dear Francis,*

LEGISLATIVE PROGRAMME 1981-82: EXTENSION OF TENANTS' RIGHT TO BUY

*TPM*  
I have seen a copy of Michael Heseltine's letter to you of  
16 November.

I have agreed to the proposals for the extension of the right to buy to certain charitable property, (M.H.'s letter sub para ii), upon the understanding that the Bill will contain a clause regularising the position of existing tenants of charitable housing associations who in law are not regarded as being in necessitous circumstances. This clause has the two-fold purpose of preventing the extension of the right to buy being defeated by claims for possession against tenants who seek to exercise the right and of making a start in clearing up the widespread breaches of trust which have been disclosed by our investigations into this extension of the right to buy.

The Attorney General and I have a special interest in that last purpose because unless such a provision is included the Attorney General will be faced with very difficult questions as to how to enforce compliance by the trustees with their charitable trusts.

I understand that Michael Heseltine's proposals outlined in his letter to you include the provisions which he and I have agreed for achieving that purpose and on that basis have to say that such a Bill would be of much assistance to us in dealing with the difficult situation which has emerged, and accordingly I would respectfully urge that a place be found for it in the legislative programme for this Session.

I am copying this letter to the recipients of Michael Heseltine's.

*Yours ever*  
*Jan.*





2 MARSHAM STREET  
LONDON SW1P 3EB

*Prime Minister*

My ref:

Your ref:

16 November 1981

*De Francis*

*19/11*  
*16/*  
*x*

*MF*

LEGISLATIVE PROGRAMME 1981-82: EXTENSION OF TENANTS' RIGHT TO BUY

The minutes of the Cabinet discussion of the legislative programme (C(81)32nd) record that although our proposals for the Housing and Building Control Bill (other than unified housing benefit) would not be announced in the Queen's speech, at least some of them could be introduced as a separate measure later if the Parliamentary timetable permits.

I believe it is essential to proceed with a further Bill in this Session, but confined strictly to right to buy matters to achieve maximum progress. This is the last Session of this Parliament when we can be confident that tenants benefitting from an extension of the right to buy will be successful in completing their purchases before the end of the Parliament. If left to the 1982-83 Session, a Bill may well not be enacted until the summer of 1983, by when I fear that many Labour authorities will be playing for time.

I therefore propose that we introduce a short Bill making two significant extensions of the right to buy:-

- i. extension of the right to buy to tenants whose landlord does not own the freehold. Some 40-50,000 tenants are affected in England; sheer lack of time prevented us from dealing with the point in the Housing Act 1980. There are concentrations of leasehold council property in Bolton, Newcastle, Birmingham and the Dulwich area of South London, and we are coming under very great and justifiable pressure from colleagues in the Parliamentary Party and in local government (as well as from the tenants) to deliver the right to buy to them;
- ii. extension of the right to buy to tenants of charitable housing associations who are living in dwellings wholly or largely funded with public money and indistinguishable from other housing association dwellings where the tenants have the right to buy already. This is the only important group of local authority and housing association tenants (other than those in leasehold dwellings) who do not have

the right to buy because of the elderly persons' or disabled persons' exclusion, we estimate that a further 70-80,000 would be brought within the scope of the right to buy. Extending the right in this way would produce a financial benefit to the public sector from the repayment of housing association grant. Charitable funds would be protected by abating the recovery of grant where necessary. The Solicitor General has agreed this proposal.

In addition, I should like to make two smaller amendments to the 1980 Act: first, to prevent landlords from depriving tenants of the right to buy by insisting that exchanges take place by mutual assignment (we have already announced our intention to stop this practice); and secondly, to ensure that in the event of intervention where a local authority has failed to discharge its responsibilities under the Act, I can exercise various discretionary powers with regard to sales, without being bound by the previous policy of the authority. This last amendment would be of considerable help if I have to intervene, as well as a deterrent to councils against risking intervention.

These proposals all have policy clearance from H Committee, subject, on (ii) above, to the agreement of the Solicitor General and the Secretary of State for Wales, which I have obtained. They could be embodied in a short Bill of about ten clauses, seven of which are already in draft.

We have under consideration a few other small amendments to the existing right to buy provisions to overcome difficulties that tenants have encountered in certain authorities. These would not add greatly to the Bill's length, and (subject to policy clearance from H Committee) I should like to include them. We are consulting Parliamentary Counsel and the House authorities on how the Bill could be restricted as tightly as possible to a limited number of right to buy topics.

I should like to press on as quickly as possible with the preparation of a short Bill on these lines, in consultation with the Secretary of State for Wales. I should therefore be grateful for your agreement that Parliamentary Counsel should continue with drafting. I should welcome your views on whether an introduction shortly after Christmas may be possible.

I am copying this to the Prime Minister; the Chief Whip; the Solicitor General; to other members of Legislation Committee; and to Sir Robert Armstrong and George Engle.

Yours ever  
MHE

MICHAEL HESELTINE

16 NOV 1981

11 12 1 2 3 4 5 6 7 8 9 10

K 0234

My Patisson M.P. (10) Parliament

You spoke to me some weeks ago about the  
Legislative Programme. Having around here only  
comparatively recently, I am not sure how  
far you like to be kept in touch with progress.  
But in case you are interested, this note  
shows the present position.

MR HEYHOE

## LEGISLATIVE PROGRAMME 1981-82

David Hilary  
Cabinet Office13.4.81

1. I attach for information a note setting out progress on the Legislative Programme for this Session. It is based on the best estimates of Departments, and takes account of the advice of First Parliamentary Counsel. It brings up to date the note attached to my letter of 16 October to First Parliamentary Counsel.

2. I am sending copies to Mr MacLean (Chief Whip's Office), Mr Pownall (House of Lords), Mr Nursaw (Law Officers' Department), Mr Adamson (Lord Advocate's Department) and First Parliamentary Counsel.

D H J Hilary

(D H J HILARY)

12 November 1981.

## LEGISLATIVE PROGRAMME 1981-82

## 1. ESSENTIAL

Nuclear Industry (Finance)	Introduced in the House of Commons, 5 November.
Hops Marketing	Introduced in the House of Lords, 5 November.
Coal Industry Finance	To be introduced in the House of Commons, 13 November (?) (see L(81) 20th Meeting, Minute 2).
Civil Aviation (Amendment)	Introduced in the House of Commons, 5 November.
Shipbuilding	Introduced in the House of Commons, 5 November.
Transport (Financial Provisions)	To be introduced in the House of Commons, 12 November.

## 2. PROGRAMME

Local Government Finance	Introduced in the House of Commons, 6 November
Criminal Justice.	Was due for Legislation Committee on 27 October. Now expected on 25 November.
Trade Union Immunities.	Unlikely to appear before January.
Mental Health (Amendment)	Introduced in the House of Lords, 10 November.
Civil Jurisdiction and Judgments	Introduced in the House of Lords, 10 November.
Transport	Was not expected at Legislation Committee before January. It is still doubtful whether it will reach L before the Christmas Recess.
Petroleum and Gas	Was not expected at Legislation Committee before January. May be ready for L in December, depending on when complete instructions reach Parliamentary Counsel.
Social Security and Housing Benefits	Introduced in the House of Commons, 9 November

## 3. SCOTTISH

Civic Government (Scotland)	Introduced in the House of Lords, 5 November.
Housing (Amendment) (Scotland)	Introduced in the House of Commons, 5 November.
Harbours (Scotland)	Introduced in the House of Lords, 10 November.
Local Government and Planning (Scotland)	Due to come to Legislation Committee on 25 November.

## 4. SECOND READING COMMITTEE

Superannuation Act 1972 (Amendment)	Not expected to come to Legislation Committee before February.
Convention Against the Taking of Hostages	Will not now come forward this session. Will be included in the bids for 1982-83.
Reserve Forces	Opposition spokesman has been consulted on possibility of Second Reading Committee procedure (see L(81) 18th Meeting, Minute 4) but has not yet replied.
Fire Service College Board (Abolition)	Opposition Spokesman to be consulted on possibility of Second Reading Committee procedure. Introduction in the House of Lords in about two weeks' time.
Merchant Shipping (Liner Conferences)	Was due for L on 11 or 18 November. Now expected on 1 December.
Currency	Introduced in the House of Commons on 5 November.
Stock and Bond Transactions	Was due for L on 25 November. Now expected for L on 16 December.
Administration of Justice	Was due for L in November. Doubtful whether it will be ready for L by the start of December.
Legal Aid	Some provisions may be included in the Criminal Justice Bill, and the rest may be dropped; if this happens, the Bill would disappear.
Duchy of Cornwall	Usual channels discussions on the possibility of taking it through the Second Reading Committee procedure.



5. CONTINGENT

Canada

Milk

New Towns Money

(Law of the Sea Conference

Will not come forward this session.)

6. LATE ADDITIONS TO PROGRAMME

Banking Mergers

It seems likely that this Bill will be added to the programme, although its scope has yet to be decided by E. Might be ready for L on 16 December if instructions reach Counsel soon.

PRIME MINISTER

Parliamentary affairs

The Supply Days will be used for:

Wednesday 18: Opposition motion on "the Government's destructive policy towards higher education in Britain"  
Kinnock and Whitehead to speak

Thursday 19: Opposition motion on Scottish economy and industry.  
Millan and Ewing to speak.

It appears that the threat of a tanker drivers' strike has declined. But if it is still live tomorrow, the business managers will want to warn of the possibility of a need to change the business to cope with a proclamation of a state of emergency.

There may also be further discussion of the local government finance position. You may want to invite the Secretary of State to tell colleagues how he proposes to handle the debate, following the discussion you had tonight. (I understand that the Opposition have been required to redraft their motion. We do not yet have the revision.)

MAP

11 November 1981

GOVERNMENT LEGISLATION(i) Second Reading

Civil Aviation (Amendment)  
 Currency  
 Housing (Amendment) (Scotland)  
 Local Government Finance  
 Local Government (Misc.Prov.)  
 Nuclear Industry (Finance)  
 Shipbuilding  
 Social Security and Housing Benefits

(ii) <u>Orders and Regulations</u>	<u>Date Laid</u>	<u>Whether Controversial</u>	<u>Date Required</u>
Agriculture and Horticulture Development	4/11	Maybe	By 27/11
Agriculture and Horticulture Grant	4/11	Maybe	By 27/11
Common Fund for Commodities	19/10	Maybe	By Xmas
Farm and Horticulture Development	4/11	Maybe	By 27/11
Farm Structure	4/11	No	By 27/11
Grants by Local Authorities	23/10	No	By Xmas
Industrial Relations (N.I.)	20/10	Yes	By P.C.Mtg. on 16/12
International Natural Rubber Organisation	19/10	Maybe	By Xmas
Local Government (Wales)	5/11	No	Before Dec.
London Docklands Development Corporation (Vesting of Land) (GLC No.2)	10/7	Maybe	Subject to JCSI on 10/11
London Docklands Development Corporation (Vesting of Land) (Tower Hamlets)	10/7	Maybe	Subject to JCSI on 10/11
Motor Vehicles	19/10	No	By Xmas
Redundancy Fund	20/10	No	By 4/12
Scottish Seed Potato Development Council	19/10	No	By Xmas
Statement on the 'Young Workers Scheme'	5/11	Yes	By 20/11
Transfer of Undertakings	30/7	No	By Xmas [Debate not before early Dec)
Weights and Measures Act 1963 (3)	19/10	Maybe	A.S.A.P.



SECRETARY OF STATE FOR ENERGY  
THAMES HOUSE SOUTH  
MILLBANK LONDON SW1P 4QJ

01 211 6402

*Pary*

*VMD*

Rt Hon Francis Pym MC MP  
Lord President of the  
Council  
Privy Council Office  
Whitehall  
London SW1A 2AT

3 November 1981

*John Pym*

Thank you for your letter of 9 October about the proposed legislation on gas and the British National Oil Corporation next session. I have also seen Janet Young's letter of 14 October.

I will of course do my best to get the combined Bill ready for introduction before Christmas. I am sure that you, in turn, will do all you can to ensure that it receives Royal Assent by July.

I am copying this letter to the recipients of yours.

NIGEL LAWSON

*Yours  
Nigel*

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[- 3 NOV 1981

GOVERNMENT LEGISLATION*See*

<u>Orders and Regulations</u>	<u>Date Laid</u>	<u>Whether Controversial</u>	<u>Date Required</u>
Common Fund for Commodities	19/10	Maybe	By Xmas
Grants by Local Authorities	23/10	No	By Xmas
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Redundancy Fund	20/10	No	By 4/12
Scottish Seed Potato Development Council	19/10	No	By Xmas
Transfer of Undertakings	30/7	No	By Xmas [Debate not before early Dec)
Weights and Measures Act 1963 (3)	19/10	Maybe	A.S.A.P

Bills placed upon the Statute Book (56)

Acquisition of Land 1981  
Anguilla 1980  
Animal Health 1981  
Appropriation 1981  
Armed Forces 1981  
Atomic Energy (Miscellaneous Provisions) 1981  
Belize 1981  
Betting and Gaming Duties 1981  
British Nationality 1981  
British Telecommunications 1981  
Broadcasting 1981  
Companies 1981  
Compulsory Purchase (Vesting Declarations) 1981  
Consolidated Fund (No 2) 1980  
Consolidated Fund 1981  
Contempt of Court 1981  
Criminal Attempts 1981  
Deep Sea Mining (Temporary Provisions) 1981  
Education 1981  
Education (Scotland) 1981  
Employment and Training 1981  
Energy Conservation 1981  
English Industrial Estates Corporation 1981  
European Assembly Elections 1981  
Film Levy Finance 1981  
Finance 1981  
Fisheries 1981  
Forestry 1981  
Friendly Societies 1981  
Gas Levy 1981  
House of Commons Members' Fund and Parliamentary Pensions 1981  
Industry 1981  
Insurance Companies 1981  
International Organisations 1981  
Iron and Steel 1981  
Iron and Steel (Borrowing Powers) 1981  
Judicial Pensions 1981  
Local Government (Miscellaneous Provisions) (Scotland) 1981

Bills placed upon the Statute Book

Matrimonial Homes (Family Protection) (Scotland) 1981  
Merchant Shipping 1981  
National Film Finance Corporation 1981  
New Towns 1981  
Parliamentary Commissioner (Consular Complaints) 1981  
Ports (Financial Assistance) 1981  
Public Passenger Vehicles 1981  
Redundancy Fund 1981  
Representation of the People 1981  
Social Security 1981  
Social Security (Contributions) 1981  
Statute Law (Repeals) 1981  
Supreme Court 1981  
Town and Country Planning (Minerals) 1981  
Transport 1981  
Trustee Savings Banks 1981  
Water 1981  
Wildlife and Countryside 1981



PRIME MINISTER

Legislation  
Parliament

Parliamentary Affairs

I set out below the tentative business for next week.  
Mr. Whitelaw may want to mention to colleagues the decisions now reached about handling the Lords amendments to the Nationality Bill on Gibraltar.

Mr. Jenkin is also ready to report to colleagues how matters stand in relation to British Leyland. You may think that Parliamentary Affairs will be an appropriate moment for you to invite him to do so, before Cabinet gets stuck into public expenditure.

Monday 26 October	Supply Day	≡ 7 10
	Supplementary Guillotine Motion on British Nationality Bill	
	Motion on the Shorthold Order	≡ 11 11.15
Tuesday 27 October	Lords amendments to the British Nationality Bill	=
	Motion on National Docks Labour Board (Increase of Loans) Order	
	Motion on the Imprisonment (Temporary Provisions) Act 1980 continuance Order	
Wednesday 28 October	?Lords message on Wildlife and Countryside Bill	=
	Remaining stages of consolidation measures	
	Motion on the EC Mandate Order	
Thursday 29 October	Prorogation	

MA

19 October 1981

PRIME MINISTER

Gas Legislation

*Parliament*  
cc Mr. Gow

*Top copy a  
New Ind -  
Gas + Electricity  
Pt 6*

Mr. Lawson's Answer (given at 3.30) on the gas industry monopolies caused considerable excitement in the House. Peter Viggers used his supplementary to press for further details of the amount of money involved and the timescale. David Owen rose next, attacking Mr. Lawson's announcements as pure Party political dogma. He wanted to know whether the decision on maintaining a Government minority shareholding in BNOG meant that the Government was ready to negotiate all the participation agreements, and whether the entire Continental Shelf issue would be reopened. On gas appliances, he called for the Government to admit that it had made a wrong decision, and not simply to react to industrial blackmail.

Merlyn Rees argued that this Answer had been no way to put to the House fundamental changes in Government policy (after quick consultation with Michael Cocks, he later moved for an S09 Debate, but was turned down). The Government, he said, had shown itself to be anti public enterprise. He wanted details of the necessary legislation, and of the limitations on the Secretary of State's powers under it. Whatever else had been said in the announcement, the death of the sale of gas showrooms had been declared. He asked whether the measures on the gas supply monopoly would really increase gas availability. Mr. Lawson said that the details would be given in The Queen's Speech, and there would be the usual opportunity to debate them then. He had merely taken the first opportunity after the Summer Recess to acquaint the House with the Government's latest thinking.

There were two other contributions from each side before the Speaker drew matters to a close, emphasising that this was a Question not a Statement. Peter Hardy claimed that the announcement was a sweeping betrayal of the national interest, which required a Debate immediately, not some incidental discussion in the Debate on the Address. Tim Eggar, on the other hand, described the proposed measures as bold and imaginative.

/Mr. Lawson

Mr. Lawson held his end up well. And the gas showrooms decision was successfully set in a wider context of Government intentions. But I understand that Mr. Lawson is still unhappy about not having been allowed to offer a Statement, and he feels that the Opposition's reaction may give added force to his view. In practice, there was going to be some kind of a row however the announcement was handled, and the Government may come quite well out of this package.

*MR*

19 October 1981

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copy :

~~Paterson~~ ~~Registrar~~ ~~ABR~~  
Nat Ind, Gas + Electricity Pt 6.

2 Paterson

PRIME MINISTER

Gas Appliances

I attach minutes from Mr. Lawson and Lady Young about the details of the safety arrangements which will need to be introduced when the BSC cease appliance retailing (you saw Mr. Lawson's minute last weekend in the context of this session's legislation but you may not then have taken note of the detailed proposals which are no longer relevant to the next session).

You will see that he and Lady Young are agreed that the regulatory machine should be a new statutory quango. Lady Young argues that this proposal meets the two main tests for quango proposals. The second of these is whether it could be done as well by the Department itself. She believes that the quango proposal passes this test before the Department would have to employ more staff, even though the Department would be more publicly accountable than any quango. It seems to me that either approach will create similar numbers of new public employees. Are you convinced that Civil Service manpower policy is so overriding as to justify creating a completely new quango?

M. A. PATTERSON

15 October 1981.

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Wad hd, East Electricity  
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Chancellor of the Duchy of Lancaster

PRIME MINISTER

## MMC REPORT ON GAS APPLIANCES

Nigel Lawson sent me a copy of his minute to you of 6 October about gas legislation in the coming session.

I agree with him that primary legislation looks unavoidable if we are to honour the assurances which, quite rightly, have been given about the maintenance of safety standards. I also agree that there are two main options for new regulatory machinery: either a new statutory quango or for the Department of Energy to take on the work itself. The choice between these options is important for our policies on quangos and on manpower.

There are two main tests for quango proposals: whether the function concerned is essential and whether it could be done as well by the Department itself (or by some other existing body). In this case, there seems no doubt of the need for regulation. There is also no doubt that a department is accountable to Ministers and to Parliament to an extent that no quango ever can be. That is a positive argument in favour of the Department of Energy taking on this function.

On the other hand, the Department could not do the job unless it recruited over 100 staff with the necessary skills and I cannot ignore the implications for civil service manpower. The Department of Energy is already hard pressed to meet its target. There seems no chance of it doing so if it takes on over 100 staff for this new work.

Reluctantly, I have come to the conclusion that the balance of the argument lies with the option of creating a new quango, with a right of appeal to the Secretary of State by a firm which is refused a licence.

I am copying this to the recipients of Nigel Lawson's minute.

*Baroness Young*

BARONESS YOUNG

14 October 1981

Copied to

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Gas + Electricity  
Energy Snoc



✓  
M.A.P.

FROM THE LEADER OF THE HOUSE  
HOUSE OF LORDS

14 October 1981

Dear Francis,

I have seen your letter to Nigel Lawson of 9 October and also the earlier correspondence on the parliamentary handling of next session's legislation on gas and BNOC.

Despite the advantages of merging the legislation into a composite Bill, I entirely agree with you that if such a Bill is not ready until January, the chances of achieving Royal Assent by July are slim. Our experience this session clearly suggests that unless the Lords can receive a major Bill by the Whitsun recess, its final stages will have to be completed in a spillover period.

As you know, I should regard it as very difficult to persuade the Lords to return more than one week earlier than the Commons next October. The House has now sat for five complete weeks without the Commons in just over a year and to impose a third consecutive burden on them next session would be unprecedented, at least in recent years. I hope you will agree that this is a point which must be borne in mind in any discussions about the shape of the legislation programme for 1981-82.

I am sending copies of this letter to the recipients of yours of 9 October.

Yours ever

Baroness

BARONESS YOUNG

The Rt Hon Francis Pym MC, MP  
Lord President of the Council

Copied to  
Local Govt  
Relations.



MAP

FROM THE PRIVATE SECRETARY TO THE LEADER OF THE HOUSE  
AND THE CHIEF WHIP

14 October 1981

Dear David,

I have seen a copy of Nick Huxtable's letter to you of 9 October about the timing of the Local Government Finance legislation.

The Lords Business Managers remain of the view that the Lords must be allowed at least the same amount of time on the Bill as the Commons. I can therefore confirm Nick Huxtable's statement that Royal Assent should be possible in the first half of March if the Commons complete the Bill by Christmas. I should point out that this tentative programme allows a week or so for consideration of any Lords amendments in the Commons. The Chancellor of the Duchy considers it most important that the possible need for this extra time should not be overlooked.

The Chancellor has also asked me to suggest that the Lords Business Managers should be consulted before the detailed discussions on the Bill, to which Nick Huxtable refers, are concluded.

I am copying this letter to the other recipients of Nick Huxtable's.

Yours ever  
Michael Pownall.

M G POWNALL

D A Edmonds Esq  
Private Secretary to the Secretary  
of State for the Environment

11.4 OCT 1981

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to Gas + Electricity  
Pricing



✓ MAF

Caxton House Tothill Street London SW1H 9NA

Telephone Direct Line 01-213 6640-GTN-213  
Switchboard 01-213 3000

Julian West Esq  
Private Secretary  
Department of Energy  
Thames House South  
Millbank  
LONDON SW1

12 October 1981

Dear Julian <sup>attached</sup>

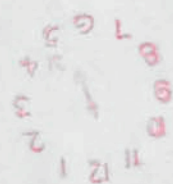
My Secretary of State has seen a copy of Mike Pattison's letter of 12 October to you about a possible debate on Energy Pricing Policy at the Party Conference.

Mr Tebbit strongly supports your Secretary of State's proposals for announcing the Government's decisions in relation to gas showrooms within the broader framework outlined. He is happy that a statement on these lines should be made this week.

I am sending copies of this letter to the Private Secretaries to the members of Cabinet and to the Private Secretaries to the Paymaster General and the Minister of State for Consumer Affairs. A copy also goes to David Wright (Cabinet Office).

Yours  
Marie Fahey

MISS M C FAHEY  
Private Secretary



13 OCT 1981

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Copied to VLS  
Nat Ind, Gas & Electricity  
Pricing P66.

10 DOWNING STREET

*From the Private Secretary*

12 October 1981

Your Secretary of State minuted the Prime Minister on 8 October, about the possibility of a debate on energy pricing policy at the Party Conference.

Mr. Lawson suggested that the Government's position might be better received in such a debate if he were to broaden it out, and to unveil the privatisation and monopoly breaking moves on the oil and gas front which have been agreed by Ministers, notably at Cabinet on 24 September. He suggested that he should, at the same time, make it clear that - partly in consequence of this - it will be necessary to delay action on BGC's gas showrooms since there will not be time for the necessary safety legislation in the coming Session. He explained that, provided it can be made clear that the Government still intend as soon as practicable to deal with the problem of the BGC retail monopoly, he felt that all this could be presented as a single coherent package which the Government supporters would accept as a whole, rather than as a climb-down in the face of union pressure, an interpretation that might be given to the showroom decision on its own.

The Prime Minister has also seen the exchanges between your Secretary of State, the Minister of State for Consumer Affairs, the Secretary of State for Employment, and the Lord President of the Council about the legislative programme, which took place whilst she was in Australia. She accepts

/ that

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# CONFIDENTIAL

- 2 -

that primary legislation will be necessary before BGC can be required to cease appliance retailing and dispose of their showrooms, and that such legislation cannot be included in the programme to be announced in The Queen's Speech. She was very much aware of the point made in the Secretary of State for Employment's letter of 6 October about the care needed in handling an announcement of these decisions, and she believes that the approach proposed by your Secretary of State offers the best prospect of convincing the Government supporters. Subject to any comments from Trade Ministers, the Employment Secretary, or the Lord President of the Council, she is therefore content that he should approach any energy debate at the Party Conference on the lines he has suggested.

I am sending copies of this letter to the Private Secretaries to the members of Cabinet and to the Private Secretaries to the Paymaster General and the Minister of State for Consumer Affairs. A copy also goes to David Wright (Cabinet Office).

M. A. PATTISON

J. D. West, Esq.,  
Department of Energy.

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PM

2

PRIVY COUNCIL OFFICE  
WHITEHALL, LONDON SW1A 2AI

9 October 1981

*mg*

*Prime Minister*

*MAJ 12/x*

*Dear Nigel,*

Thank you for your letter of 30 September about the proposed legislation on gas and the British National Oil Corporation next Session.

I agree with you that there would be considerable tactical advantage in merging the gas legislation with the existing Petroleum and Continental Shelf Bill. However, if the combined Bill is not to be ready until next January, I see very little prospect of getting it through the Commons in time for the Lords to deal with it before the Summer Recess, as you propose. Royal Assent in July might be a more realistic target if the Bill could at least be introduced before Christmas, but pressures on Parliamentary Counsel have increased considerably since David Howell told the Cabinet that there was virtually no chance that the legislation on the breaking of the gas monopsony could be ready before January. Unless your Department, in consultation with Parliamentary Counsel, can find some way of improving on this timetable, therefore, I am afraid that it would be very unwise to assume that the Bill will receive Royal Assent before the autumn of next year.

I am copying this letter to the recipients of yours.

*Yours ever  
Francis Pym*

FRANCIS PYM

The Rt Hon Nigel Lawson, MP  
Secretary of State for Energy  
Thames House South  
Millbank  
SW1P 4QJ

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Copied to  
Nad Ind, Pt 6  
Gas + Electricity Pricing  
Energy, Pt 4 Future of Power

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PRIME MINISTER

cc Mr Hoskyns  
Mr Howe

Mr Lawson seeks your authority for the line he would like to take at the Conference on energy policy. Cecil Parkinson has assured him that energy will be one of the balloted motions.

He wants to centre on the privatisation moves in oil and gas. As a residual point, he would like to make it clear that the gas showrooms issue would have to wait longer, because there will not be time for the necessary safety legislation in the coming session.

Mr. Lawson has consciously not copied his minute to Mrs. Oppenheim or Mr. Biffen. I am told that he wanted to persuade Mrs. Oppenheim of the case for handling matters this way before showing her how he proposed to put it to you, but he was unable to contact her yesterday because of Yom Kippur. He intends to speak to her today. In Mr. Lawson's view, the prime objective is to avoid a gas strike, and he believes this presentation will do so.

There have been a number of exchanges over the showroom legislation point while you have been away. The papers are elsewhere in the weekend box, with a report on the legislative programme as a whole. You may want to look at those before agreeing to Mr. Lawson's proposal. If you are then content with what he has in mind, would you like to agree subject to Trade Ministers and the Employment Secretary concurring?

---

Yes not  
MJD

9 October 1981

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to Local Govt  
Relations

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Parliament

PRIME MINISTER'S OFFICE  
WHITEHALL, LONDON SW1A 2AA

9 October 1981

NBPM yet

MRP

Dear David

LOCAL GOVERNMENT FINANCE LEGISLATION

When we spoke this morning I explained that the Lord President of the Council and the Chief Whip had discussed yesterday the timetable for handling this legislation in the light of the Cabinet's recent decision on the shape of the legislative programme for the 1981/82 Session. You had already explained to me your Secretary of State's wish for this legislation to receive Royal Assent at as early a date as is practicable in order to keep to an absolute minimum the number of local authorities who might be affected by the retrospective provisions which this measure will include.

The Lord President and the Chief Whip agreed that, provided introduction is achieved immediately after the opening of the Session, the aim would be that this legislation should complete its Commons stages shortly before the House rises for the Christmas recess. As you know, detailed discussions between the Chief Whip's office and Mr King's office on handling arrangements have already commenced. I understand from Michael Pownall in the Chancellor of the Duchy's office that completion of the legislation's Commons stages by Christmas would enable the House of Lords to complete work in time for Royal Assent to be granted by the end of the second week of March, or possibly a little earlier. No doubt the Chancellor of the Duchy's office will wish to comment directly on the timing constraints in the House of Lords in the light of this letter.

I am copying this letter to Mike Pattison (No 10), John Halliday (Home Secretary's office), Michael Pownall (Chancellor of the Duchy of Lancaster's office), Murdo Maclean (Chief Whip's office), Brian Shillito (Parliamentary Counsel's office) and to David Wright and David Hilary in the Cabinet office.

Yours ever

*N P M Huxtable*

N P M HUXTABLE  
Private Secretary

D A Edmonds, Esq  
Private Secretary to the  
Secretary of State for the Environment

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F-9 OCT 1981



Top Copy: Parliament, Legislation etc.  
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J. A. Ferguson

PRIME MINISTER

I understand from Cecil Parkinson that one of the two balloted motions for debate at the Party Conference will be on the Government's energy pricing policy. On the scheduled programme, of course, there is no Energy debate at all.

While I will defend our policies to their best advantage, this can only be a damage limitation exercise - and the damage caused by an energy price debate, however limited, would still be considerable.

There is, however, one way out of this predicament. That would be for me to broaden out the debate and to unveil the privatisation and monopoly-breaking moves on the oil and gas front on which we have decided - particularly those agreed at Cabinet on 24 September. These will be warmly welcomed by the Conference and give encouragement to our supporters. There is also a clear connection between the BGC monopoly and the energy price problem.

At the same time, I think I should make it clear that, partly in consequence of this, we will have to delay action on BGC's gas showrooms since there will not be time for the necessary safety legislation in the coming Session. Provided we make it clear that we still intend as soon as practicable to deal with the problem of the BGC retail monopoly, I believe that all this can be presented as a single coherent package which our supporters will accept as a whole, rather than as a climbdown in the face of union pressure - which is how the showroom decision, on its own, would inevitably be interpreted.

In this context Norman Tebbit has already written to me suggesting that against the mounting volume of threatening noises from the

/unions.....

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unions about an all-out strike, it is important that we should make an early statement of our new position on the gas showrooms. I believe that the approach I am proposing will meet Norman's concern, and do so in the way that is least damaging to the Government.

I should be most grateful for your agreement to the course I am proposing.

I am sending a copy of this minute to the Home Secretary, the Lord President of the Council, the Chancellor of the Duchy of Lancaster and the Paymaster General.

NR

Secretary of State for Energy

8 October 1981

PRIME MINISTER

ms.

The Legislative Programme

I attach a minute from Mr. Pym summarising the present position.

I understand that he has this week reviewed progress on the Bills approved for the programme. This seems to be satisfactory, with four exceptions: the first is Canada, and the others are local government finance, transport, and petroleum/gas, all which always looked likely to be difficult.

At present, he is not intending to press for any further deletions from the programme but neither does he favour the addition of the Bank Mergers Bill.

In your absence there have been several exchanges about gas retailing. The conclusion is that primary legislation is unavoidable - see Mr. Lawson's minute at Flag A. Mr. Pym's minute recalls that Cabinet decided that such primary legislation could not be forecast in The Queen's Speech. Mrs Oppenheim (Flag B) has been pressing for some further stages towards action on the sale of appliances, but I think that Mr. Lawson's minute effectively closes the argument in relation to The Queen's Speech. This leaves us with an awkward question of how to announce that decision, which is raised in Mr. Tebbit's letter at Flag C.

There is no action for you on these papers at this stage, if you are prepared to accept the conclusions on appliance retailing in relation to The Queen's Speech.

Yes ✓

MA



Treasury Chambers, Parliament Street, SW1P 3AG

The Rt Hon Francis Pym, MC MP,  
Lord President of the Council  
Privy Council Office,  
Whitehall  
London  
SW1A 2AT

7 October 1981

*Dear Francis*

LEGISLATIVE PROGRAMME 1981-82

I have seen Nigel Lawson's letter to you of 30 September proposing that BGC legislation on disposals and monopsony should be added to the Petroleum and Continental Shelf Bill.

2. The first priority is, of course, the enactment of the provisions for the sale of shares in BNOC's upstream operations, in order to open the way for their privatisation in October. I am glad to see from what Nigel Lawson says that he believes that the larger Bill should not prejudice this timetable. Treasury Ministers are therefore content with his approach.

3. I am copying this letter to the Prime Minister, the Secretary of State for Energy, the Home Secretary, the Lord Chancellor, the Chancellor of the Duchy, the Chief Whip and Sir Robert Armstrong.

*Nicholas*

NICHOLAS RIDLEY

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Nalhd, Ab.  
Gas Electricity Billing

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*J. Vereker*  
*A. Duiguid*  
*A. Walters*

Caxton House Tothill Street London SW1H 9NA

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Switchboard 01-213 3000

Rt Hon Nigel Lawson MP  
Secretary of State  
Department of Energy  
Thames House South  
Millbank  
LONDON SW1

6 October 1981

*Dear Secretary of State,*

MMC REPORT ON GAS APPLIANCES

I have seen your minute of today's date to the Prime Minister.

As it seems clear that we cannot now contemplate requiring BGC to cease appliance retailing and dispose of their showrooms in the foreseeable future, you will no doubt be considering how best this information might be publicly released.

My main concern is one of timing. During the Labour Party Conference last week, national officials of the GMWU pointedly repeated their earlier threats to cut off gas supplies nationally if the Government goes ahead with its proposals. NALGO decided at the weekend to call a special conference of its members in the gas industry to decide on a programme of opposition to the proposals. I am concerned that, against a background of threatening noises of this kind, the later we leave it the more difficult it will be to let it be known publicly that we cannot now proceed in accordance with the timetable originally contemplated without this being seen as a last-minute climb down in the face of an imminent shutdown in gas supplies. To have proceeded with our original proposals would have carried with it some risk of providing a cause on which unions might build a campaign of industrial action that would have spilled over into pay demands. Equally to be seen as making a last minute climb down would not strengthen our position either.

I hope you will agree, therefore, that some kind of statement should be made soon, making clear that until the necessary safety legislation is enacted it will not be practicable to implement the powers that are to be taken in relation to BGC showrooms.



I am copying this letter to members of the Cabinet and to the Minister for Consumer Affairs.

*Yours sincerely,*

*R. B. J. Jones*

*Private Secretary*

Approved by the Secretary of State and signed in his absence



E7 OCT 1981



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PRIVY COUNCIL OFFICE  
WHITEHALL, LONDON SW1A 2AT

PRIME MINISTER

LEGISLATIVE PROGRAMME: 1981-82 *marked TAM*

I have seen copies of the minutes of 16 and 28 September by the Chancellor of the Exchequer and the Secretary of State for Industry respectively about the possibility of adding a Bill on bank mergers and takeovers to next Session's legislative programme. I have also seen a copy of the letter which the Minister of State for Consumer Affairs wrote to you on 28 September about gas safety legislation. *attached*

I do not wish to comment at this stage on the substance of these exchanges, but I am extremely worried about the implications for next Session's programme. I was grateful to those colleagues who agreed at Cabinet last week to trim back some of their proposed legislation so as to give us a little more room for manoeuvre on the Local Government Finance Bill, but the decision to go ahead with legislation to break the monopsony of the British Gas Corporation - which was not in the programme which we agreed at the end of July - means that the net burden of legislation next Session has not been reduced as much as the Cabinet might have supposed after last week's decisions. The judgment of the Supreme Court of Canada on the constitutional issue is about the worst imaginable from the point of view of passing at Westminster any legislation which might be requested by the Federal Parliament, and the process, if and when a request arrives, will certainly take longer than we originally bargained for. Should the Canadian Government delay still further their request or decide not to proceed then the position will be materially altered. But it would be most unwise to anticipate such an eventuality.

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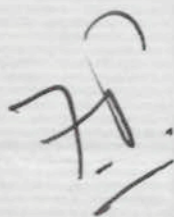
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In these circumstances, I would take a lot of persuading that the bank mergers bill should be a net addition to the programme. If it is to be included - and I recognise the force of the arguments which the Chancellor of the Exchequer deployed in proposing that it should be added to the programme - then something else will have to go, and The Queen's Speech will have to be amended accordingly.

The position on gas safety legislation is that Cabinet firmly decided that it should not have a place in the programme to be announced in The Queen's Speech. I do not think that we should now go back on that decision as far as primary legislation is concerned, even in the truncated form which Sally Oppenheim now envisages. It might be possible to find time for subordinate legislation on this subject if the Ministers concerned conclude that that is a satisfactory alternative, but I should not like to give any commitment even to that at this stage.

I am copying this letter to Cabinet colleagues, to the Chief Whip, to the Minister of State for Consumer Affairs, and to Sir Robert Armstrong.



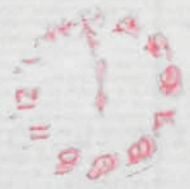
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1 October 1981

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towards  
MCS

Treasury Chambers, Parliament Street, SW1P 3AG

Rt Hon Nigel Lawson MP  
Secretary of State  
Department of Energy  
Thames House South  
Millbank  
London SW1P 4QJ

30 September 1981

NATIONALISED INDUSTRIES' STATUTORY BORROWING LIMITS:  
INCLUSION OF BORROWING BY SUBSIDIARIES AND GUARANTEES

As you know, where suitable legislative opportunities present themselves we have been seeking to include provisions bringing borrowing by subsidiaries and guarantees within nationalised industries' statutory borrowing limits. I have been considering how to deal with this question in the light of your comments at our meeting on 21 September and the letters of 14 September from Keith Joseph and 15 September from John Biffen.

I am concerned that it always proves difficult to reach agreement on the inclusion in legislation as it comes forward of desirable changes to the financial provisions governing nationalised industries. I appreciate that timing and the constraints of the legislative programme can argue against the inclusion of anything but the most essential measures. On the other hand, we cannot go on year by year allowing the financial framework within which nationalised industries are accountable to Parliament to become more obsolete and diverse. Apart from the intrinsic merits of a degree of standardisation, it becomes increasingly difficult to defend the position to the PAC.

In view of the shortage of time in which to resolve the doubts which you and others have voiced about the particular proposals in relation to statutory borrowing limits, I do not propose to press further for the inclusion of the relevant provisions in legislation in the next Session. I remain of the view, however, that these changes are among a number which it would be useful to make when possible, and in order to forestall in the future the sort of last minute exchanges we are having now I am asking my officials to set in hand, under the auspices of NIP, a review of changes which might be made in the financial provisions governing the nationalised industries. The aim would be to draw up a checklist of such changes, in consultation with your Departments, which I hope we could then agree

should be implemented as and when legislative opportunities presented themselves.

I am grateful to John Biffen for proposing a measure of change in relation to the borrowing limit of British Airways. I think now, however, that it would be best to defer all such changes until the official group I have proposed has completed its work.

the Prime Minister,

I am copying this letter to/members of E(NF) and to Sir Robert Armstrong.

LEON BRITTAN



SECRETARY OF STATE FOR ENERGY  
THAMES HOUSE SOUTH  
MILLBANK LONDON SW1P 4QJ

*M. Scholar to see  
na  
MAD  
11/4*

01-211-6402

The Rt Hon Francis Pym MC MP  
Lord President of the Council  
Privy Council Office  
Whitehall  
London  
SW1A 2AT

30 September 1981

*Francis Pym*

LEGISLATIVE PROGRAMME 1981-82

Cabinet agreed on 24 September that powers should be taken to direct the British Gas Corporation to dispose of specified interests and to abolish the Corporation's gas purchase monopsony. They invited me in consultation with you to consider whether the relevant legislation could be added to the Petroleum and Continental Shelf Bill.

I see considerable advantage in merging these two pieces of legislation next session. A composite Bill would have a coherent political theme; it would ease the legislative burden on Ministers in this Department; and it would save time on the floor of the House.

This composite Bill could be ready for introduction in January and I would make this work the first priority of my Department.

We would of course be delaying the Petroleum and Continental Shelf Bill which is already drafted by two to three months. But this would be acceptable provided that we could be certain of securing Royal Assent before the Summer Recess, so as to open the way for privatisation of BNOC's upstream assets in October.

The timetable for the passage of the Bill through both Houses would be tight but should be practicable. I hope you can agree that we should proceed on this basis.

17 OCT 1967

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I am copying this letter to the Prime Minister, the Home Secretary, the Lord Chancellor, the Chancellor of the Exchequer, the Chancellor of the Duchy of Lancaster, the Chief Whip and Sir Robert Armstrong.

*Yes Even  
Nigel*

NIGEL LAWSON

*Liquid, Natural Gas + Electricity Pricing. PCB*

*B*



DEPARTMENT OF TRADE  
1 VICTORIA STREET  
LONDON SW1H 0ET

TELEPHONE DIRECT LINE 01 215 5662  
SWITCHBOARD 01 215 7877

*cc David Wright (L.S.)*

From the  
Minister of State  
for Consumer Affairs

The Rt Hon Sally Oppenheim MP

*Energy Community*

PRIME MINISTER

No 10 Downing Street  
LONDON SW1

28 September 1981

MMC REPORT ON GAS APPLIANCES

I thought I ought to write to you about the decisions which Cabinet reached last week on this Report, which of course have considerable implications, both practical and presentational, on the next steps which the Government should take.

The agreement which Cabinet reached that powers should be taken to direct British Gas to dispose of specified interests will be an essential step towards putting in hand our decision on the disposal of the Corporation's showrooms; and I welcome the confirmation that this is to form part of the legislative programme. There remains the question of legislation on safety; and I do not accept that it need be the case, as Cabinet appear to have envisaged, that in the case of the gas showrooms the exercise of the power to require disposals will need to be deferred until time can be taken for passing the relevant safety legislation. This is because the Department of Energy's view, as I understand it, primary legislation may not be a prerequisite for improving Safety Regulations, and that the scope for using existing powers should first be explored, and may prove adequate.

Presentationally a delay until the session after next could be very serious, particularly as it is now a year since the Monopolies and Mergers Commission reported. It could postpone the start of the five-year programme of disposals from (say) the middle of next year until the middle of 1983. Whether this delay is unavoidable depends, as

/I

Cont'd



have said, on the need for legislation on safety, its scope, and the time it is likely to take in Parliament. If no primary legislation were required, the time taken in Parliament would be negligible. Even if primary legislation were required, it would not necessarily take long; and I have been glad to note Willie Whitelaw's understanding that even where reference to legislation is omitted from the Queen's Speech, that would not necessarily prevent relevant legislation being brought forward later if the Parliamentary situation proved less difficult than at present feared.

It therefore remains important for us to settle the scope and content of any primary legislation on safety which is considered necessary. In his minute to you of 5 August on this point, David Howell promised to work out detailed safety proposals, after consultations between his officials, and those of the Departments of Industry and Trade. If you agree, I think that it would now be useful if Nigel Lawson could circulate his proposals to colleagues as early as possible so that we can take the measure of the range of safety measures which he considers necessary, and the extent to which they will require primary legislation. We can then decide whether our decision on the gas showrooms is to be subject to what is effectively a year's delay, or whether the Government can avoid the criticism which this will attract by proceeding at a faster pace.

I should add one further point. Any delay in our implementing our decision will have implications for the private sector's plans in this field. The Association of Multiple Regailers have recently made representations to me underlining the importance which they attach to the action which the Government is taking, and the effect which any apparent indecision could have on their members' plans.

I am copying this to members of the Cabinet.

Yours Truly  
Sally

SALLY OPPENHEIM

129 SEP 1967

129 SEP 1967

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✓ M.P.  
Parliament  
PRIVY COUNCIL OFFICE

WHITEHALL, LONDON SW1A 2AT

28 September 1981

*Bar Willie*

At Cabinet on 24 September, Nigel Lawson suggested that legislation to compel the BGC to dispose of specified interests, and to break their monopsony in the purchase of North Sea gas, should be combined with the Petroleum and Continental Shelf Bill. You may remember that I expressed some surprise that legislation on the monopsony was apparently viewed as a foregone conclusion. My impression was that we had decided not to legislate on this subject next Session when we agreed at Cabinet on 30 July to drop the proposed Gas (Industrial and Commercial Supplies) Bill from the 1981-82 programme.

As I have since discovered, it was decided at a meeting held by the Prime Minister on 10 September that the Government should take action as soon as possible to break the BGC monopsony, but that further consideration should be given to when this could be fitted into the legislative programme. So far as I can establish, neither you nor the business managers have so far been consulted about how this legislation might be accommodated in next Session's overloaded programme.

Without seeking to reopen the latest decisions of Cabinet on next Session's programme, I must take this opportunity of stressing most strongly the importance of the business managers and other members of QL being alerted as soon as any policy decisions are taken which could imply a significant change in the planned legislative programme. Although I try to keep an eye on the legislative implications of all policy discussions of which I am aware, the initiative must lie with the colleagues primarily responsible for the policy concerned. Neither you nor the business managers can be expected to know, without being told, of every proposal which might eventually involve legislation.

I should be grateful if all our colleagues could make sure for the future that I am always consulted whenever the possibility of fresh demands on the legislative programme arises.

I am copying this letter to the Prime Minister and other Cabinet colleagues, to the Chief Whip, and to Sir Robert Armstrong.

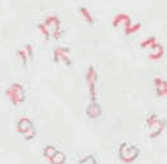
*Yours ever  
Francis Pym*

FRANCIS PYM

The Rt Hon William Whitelaw CH MC MP

CONFIDENTIAL

29 SEP 1981





*old*  
✓ Mr Hoskyns  
Mr Trotter  
Mr Lyden

*Prime Minister*  
You will want to  
consider at E whether  
another consultative doc.  
is necessary  
*NT* *27/9*

PRIME MINISTER

FURTHER EMPLOYMENT LEGISLATION

I thought I should let you know the timetable I envisage for employment legislation in this coming session.

*W*

I plan to have my proposals for legislation ready for E Committee when it meets again in the second half of October. My intention would then be to issue a consultative document at the beginning of the new session. I would aim to keep the consultative period as short as possible with a view to introducing a Bill immediately after the Christmas recess.

I am sending copies of this minute to the Lord Chancellor, the Lord President of the Council, the Chancellor of the Duchy of Lancaster, members of E Committee, the Chief Whip, and Sir Robert Armstrong.

*NT*

N T  
23 September 1981

*Copy to 2nd Pd. 2nd Pd. Legislation: AS.*



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Gas & Electricity

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New Ind Gas  
Electricity



CONFIDENTIAL

DEPARTMENT OF TRADE  
1 VICTORIA STREET  
LONDON SW1H 0ET

P. 5.

TELEPHONE DIRECT LINE 01 215  
SWITCHBOARD 01 215 7877

From the  
Minister of State  
for Consumer Affairs

Prime Minister  
10 Downing Street  
London SW1

23 September 1981

MMC REPORT ON GAS APPLIANCES

I have seen Willie Whitelaw's memorandum of 21 September on the Queen's Speeches on the Prorogation and Opening of Parliament, which are to be discussed in Cabinet on 24 September; and I have also seen Janet Young's letter to Norman Fowler of 22 September on the role of legislation on local government finance in the legislative programme.

John Biffen is, as you know, out of the country; and I am deeply concerned that tomorrow's discussion will take place without him. I am perturbed, as I am sure he would be, by the proposal in Willie's memorandum canvassing the possibility of dropping legislation on gas appliance retailing from the programme. It is certainly not a proposal to which I could give agreement in his absence, given the major concession which he has already made in the case of the Insolvency Bill.

Nor, I must say, do I consider that it would be wise for colleagues to approve the proposal in any case. As you will know from our earlier discussions in E Committee, a great deal of importance attaches to this legislation if the Government's decision on the closure and disposal of the gas showrooms is to be implemented, and if the public's concern on safety is to be fully met. I believe that any departure now from our decision to introduce legislation would not only be interpreted as a sign that we were wavering in our intentions, but might also be seen as a withdrawal of our earlier assurance (which, with the agreement of colleagues, I renewed when I spoke to the National Gas Consumers' Council on 15 September) that legislation would be introduced if the Government considered it necessary to meet the public's apprehension about safety. I accordingly hope that colleagues will concur in retaining the proposed legislation in the programme, as we had earlier agreed.

To the extent that choices will have to be made, I recognise the force of the manpower implications of the local government legislation to which Janet Young has referred in her letter. But I would ask colleagues to consider two important features of the legislation on gas appliances in addition to those I have set out above. First, the longer it remains off the statute book, the longer we must defer

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the considerable Exchequer benefits accruing from the disposal of the showrooms. Secondly, I believe that if the concessions are made which I have outlined in my letter of today to Nigel Lawson the legislation may prove a good deal less controversial than anticipated, and benefit from an easier passage through the House.

I am copying this letter to members of the Cabinet.

*Yours Ever  
Sally*

SALLY OPPENHEIM

CONFIDENTIAL



## DEPARTMENT OF HEALTH &amp; SOCIAL SECURITY

Alexander Fleming House, Elephant &amp; Castle, London SE1 6BY

Telephone 01-407 5522

*From the Secretary of State for Social Services*

23 September 1981

The Rt Hon Baroness Young  
 Chancellor of the Duchy of Lancaster  
 Civil Service Department  
 Whitehall  
 LONDON  
 SW1

*Yes Janet.*

LEGISLATIVE PROGRAMME 1981/82 - LEGISLATION ON LOCAL  
 GOVERNMENT FINANCE

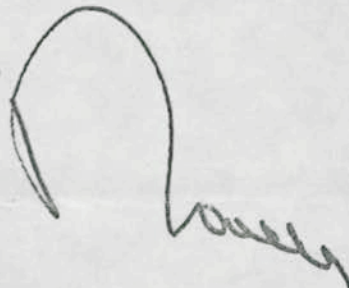
Thank you for your letter of 22 September about the implications for our manpower savings target of the proposal in the Home Secretary's paper (C(81)47) to drop the Social Security Bill and possibly the Housing Bill from the legislative programme for the next Session.

As you say, we are relying on these two Bills to provide the main contribution towards our Departmental manpower target of 87,700 by April 1984. In addition to the items that you mention (the Employers' Statutory Sick Pay Scheme, Unified Housing Benefit and the associated simplification of supplementary benefit) the Social Security Bill is intended to include other measures yielding staff savings of several hundred. To lose savings of this order would be more than serious: without them there would be no prospect at all that my Department could reach its target. There are no alternative measures available to make good these losses.

I am afraid, therefore, that a decision to drop these Bills on Thursday would mean that we simply could not achieve our manpower targets - and the Government's overall target could not be reached. It would be particularly unfortunate if the sick pay proposals were now to be thrown away, almost certainly for the lifetime of this Parliament; a successful meeting that I had with the CBI last week has I think secured the withdrawal of their opposition in return

for 100 per cent reimbursement. I shall be putting proposals to H Committee accordingly, with a view to preserving savings from this measure of 2,500 to 3,000. We must not lose this. It would be equally unfortunate if the housing benefit proposals were to be dropped, now that the discussion at H Committee earlier today has opened the way to agreement with savings of the order of 4,000 in prospect (that is, including the consequential simplification of supplementary benefit).

I am copying this to the Prime Minister, Members of the Cabinet, the Chief Whip, and to Sir Robert Armstrong.

*You see* 

NORMAN FOWLER

12 3 SEP 1987

10 11 12 1 2 3  
9 ← 8 7 6 5 4



CHANCELLOR OF THE DUCHY OF LANCASTER



Civil Service Department  
Whitehall London SW1A 2AZ

Telephone (Direct dialling) 01-273  
(Switchboard) 01-273 3000

Prime Minister

To see

ML

22x

Your reference

The Rt Hon Norman Fowler MP  
Secretary of State for Social Services  
Alexander Fleming House  
Elephant and Castle  
LONDON SE1 6 BY

Our reference

Date

22 September 1981

Dear Norman,

LEGISLATIVE PROGRAMME 1981-82 - LEGISLATION ON LOCAL GOVERNMENT FINANCE

new circulated

The Home Secretary's paper for discussion this Thursday (C(81)47) raises the problem of finding room for legislation to improve the accountability of local authorities in the levying of rates.

At least two main programme bills will have to be dropped to make room. The candidates suggested are the Social Security Bill; and either the Housing and Building Control Bill, or the proposed legislation on the retailing of gas appliances. My present concern is with the implications for our commitment to a Civil Service of 630,000 by 1984.

Taken together the Social Security and Housing Bills should provide manpower savings of up to 7,600 in your Department through the Employers Statutory Sick Pay Scheme and Unified Housing Benefit with the associated simplification of supplementary benefit. It would clearly be a most serious matter to lose savings of this order. It would be bound to put our target at risk unless you, or other colleagues, felt able to offer acceptable alternatives to make good the loss. I feel therefore that colleagues would welcome advance warning of this aspect before we come to discuss it at Cabinet.

Of course, if you feel confident that you would still be able to meet your target (after allowance for the impact of unemployment) that would make the outlook much happier. But if you don't we have to recognise that we may not get the Civil Service down to 630,000 by 1984.

I am copying this to the Prime Minister, members of the Cabinet and to Sir Robert Armstrong.

Yours ever

Baroness

BARONESS YOUNG

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12 2 SEP 1981

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MASTER

Mr Lancaster 2

CONFIDENTIAL

THIS DOCUMENT IS THE PROPERTY OF HER BRITANNIC MAJESTY'S GOVERNMENT

COPY NO 2

*[Handwritten initials]*

MINUTES of a Meeting held  
in Conference Room A, Cabinet Office  
on THURSDAY 17 SEPTEMBER 1981  
at 11.45 am

*Announcement*  
*To note that*  
*H favours dropping*  
*the Social Security*  
*Bills and for the*  
*Housing or Gas*  
*application Bills.*  
*This with*  
*of course to*  
*come to*  
*Cabinet*  
*on Thursday.*

PRESENT

The Rt Hon William Whitelaw MP  
Secretary of State for the  
Home Department (In the Chair)

The Rt Hon Francis Pym MP  
Lord President of the Council

Baroness Young  
Chancellor of the Duchy  
of Lancaster

The Rt Hon Michael Jopling MP  
Parliamentary Secretary, Treasury

The Rt Hon Lord Denham  
Captain of the Gentlemen-at-Arms

Mr G Engle  
First Parliamentary Counsel

SECRETARIAT

Mr D H J Hilary  
Mr L J Harris

*TL*  
*199*

LEGISLATIVE PROGRAMME 1981-82:  
LEGISLATION ON LOCAL GOVERNMENT FINANCE

THE HOME SECRETARY said that the Ministerial Committee on Economic Strategy (E) had decided the previous day that legislation to improve the accountability of local authorities in the levying of rates should be introduced at the beginning of the 1981-82 Session of Parliament. The intention was that the new system should apply for the financial year 1982-83. This in turn implied that the legislation should receive Royal Assent not later than the end of February 1982, so that local authorities could take it into account when fixing their rates for the following year, though it had been suggested that a somewhat later date for Royal Assent would be acceptable provided that the local authorities were fully aware of the Government's intentions. E Committee had

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recognised that other main programme bills agreed for the 1981-82 Session might have to be dropped to enable the rating legislation to be given the necessary priority, and had invited him to consider the implications for next Session's legislative programme as a whole with the business managers. Any recommendations on how the programme might be adjusted to take account of the decisions of E Committee on local government finance would be considered by the Cabinet in the context of their discussion on 24 September of the draft Queen's Speech on the Opening of Parliament which had been prepared by The Queen's Speeches and Future Legislation Committee.

THE LORD PRESIDENT OF THE COUNCIL said that the proposed rating legislation would clearly be highly controversial in both Houses. A timetable motion would almost certainly have to be considered very soon after introduction of the Bill. It would be difficult to contemplate taking all stages of the Bill on the Floor of the Commons because of the serious inroads which this would make into the time available for other urgent legislation, and because of the continuing uncertainty about the amount of time which would have to be found for legislation on the Canadian constitution. At least two other main programme bills would have to be dropped in order for there to be any possibility of the timetable envisaged by E Committee being met for the Local Government Finance Bill. The main contenders for deletion from the programme appeared to be the Social Security Bill and the Housing and Building Control Bill, both of which were highly controversial and were said to require early Royal Assent.

THE CHANCELLOR OF THE DUCHY OF LANCASTER said that, to have a reasonable prospect of being passed by the end of February, the Bill would have to receive Second Reading in the Lords before Christmas. Even then, the Lords would have to be brought back from the Christmas Recess on 11 January rather than 18 January. This almost unprecedented shortening of the Recess would cause great resentment in many parts of the House, which had had to sit for some five weeks during the present Session while the Commons were in recess. The Bill would be strongly opposed by many Peers with local authority interests.

In discussion, it was noted that the proposed rating changes raised a great many constitutional and administrative questions which would have to be resolved between the Departments concerned before the drafting of the legislation could be completed. In view of the other pressures on Parliamentary Counsel's Office, further work on the preparation of the Mental Health (Amendment) Bill would have to be postponed to enable Second Parliamentary Counsel to concentrate full time on the Local Government Finance Bill. In order to free Parliamentary time in the early part of the Session for this Bill, it seemed desirable to drop the Social Security Bill from the 1981-82 programme, though in view of the fact that the Bill had already been postponed from the current Session this would be seen in some quarters as a further retreat by the Government ~~from~~ the proposed employers' statutory sick pay scheme. The continued doubt which surrounded the manpower benefits to be derived from the introduction of unified housing benefit, which had been the sole justification for including the Housing and Building Control Bill in the 1981-82 programme, suggested that the Bill as a whole might with advantage be postponed. Alternatively, the proposed legislation to compel the British Gas Corporation to dispose of their

domestic gas appliance retailing interests might be deferred. These proposals had already been heavily criticised by members of both Houses, including some of the Government's own supporters, and could well provoke industrial action in the gas industry.

THE HOME SECRETARY, summing up the discussion, said that the meeting agreed that the timetable envisaged by E Committee for the Local Government Finance Bill could be achieved only by dropping at least two other main programme bills from the agreed programme for the 1981-82 Session. They recognised the policy arguments which could be advanced in defence of any of the bills now in the programme, but considered on balance that the Social Security Bill should be dropped, together with either the Housing and Building Control Bill or the proposed legislation on the retailing of gas appliances. He would incorporate this recommendation in his covering memorandum to the draft Queen's Speeches on the Opening and Prorogation of Parliament which he would circulate to Cabinet early the following week for discussion on 24 September.

The Meeting -

Took note that the Home Secretary would report their conclusions to the Cabinet, as indicated in his summing up of their discussion.

Cabinet Office  
17 September 1981



SECRETARY OF STATE  
FOR  
NORTHERN IRELAND

Barney Hayhoe Esq MP  
Minister of State  
Civil Service Department  
Whitehall  
LONDON  
SW1A 2AZ

*Parliament*  
NORTHERN IRELAND OFFICE  
GREAT GEORGE STREET,  
LONDON SW1P 3AJ

*to Min Pater*

*N 1419*

14<sup>th</sup> September 1981

*Dear Barney,*

UPDATING OF SCHEDULE 1 OF THE HOUSE OF COMMONS  
DISQUALIFICATION ACT 1975

Thank you for sending me a copy of your letter of 18 August to the Home Secretary enclosing lists of the proposed amendments to the Act. I agree that we should seek to revise the Schedule in the coming session and I can confirm the amendments proposed in respect on Northern Ireland (subject to some minor tidying up which officials have in hand).

Harland and Wolff and Short Brothers are in the same position as British Leyland and Rolls Royce, and arrangements had already been made for their Directors, who include the Chairmen, to be disqualified. They appear at Nos 83 and 84 of the list of amendments.

I have satisfied myself that none of the proposed Northern Ireland amendments will affect any sitting MP or MEP.

I am copying this letter to the recipients of yours.

*Yours ever*

*Humphrey*



14 SEP 1988  
 BUREAU OF  
 LAND MANAGEMENT



*a Min P.M.*

SECRETARY OF STATE FOR ENERGY  
THAMES HOUSE SOUTH  
MILLBANK LONDON SW1P 4QJ

01 211 6402

*12*  
*14/9*

Barney Hayhoe MP  
Minister of State  
Civil Service Dept.  
Whitehall  
London  
SW1A 2AZ

11 September 1981

*Dear Sam*

UPDATING OF SCHEDULE 1 OF THE HOUSE OF COMMONS DISQUALIFICATION ACT 1975

I have seen a copy of your letter to Willie Whitelaw seeking agreement to update Schedule 1 of this Act in the coming Session and seeking confirmation of the proposed amendments.

The point you have made about the Chairman and Directors of British Leyland and Rolls Royce applies equally to British Nuclear Fuels Ltd, now that ownership has passed to the Secretary of State for Energy. BNFL should, therefore, be added to the list of proposed amendments.

The shares in Amersham International (formerly The Radio-Chemical Centre) are shortly to be similarly transferred but as they are likely to be disposed of early in 1982 to the private sector, there would seem to be little point in adding Amersham to the list.

I am sending copies of this letter to the Prime Minister and other members of Cabinet, to the Law Officers and to Sir Robert Armstrong and First Parliamentary Counsel.

*Yours*

*Daw*

D A R HOWELL

2nd copy

14 SEP 1981





From the Minister

MINISTRY OF AGRICULTURE, FISHERIES AND FOOD  
WHITEHALL PLACE, LONDON SW1A 2HH

*Parliament*  
*✓ Miss Partu*

Barney Hayhoe Esq MP  
Minister of State  
Civil Service Department  
Whitehall  
London SW1A 2AZ

*2*  
*11/9*

9 September 1981

UPDATING OF SCHEDULE 1 OF THE HOUSE OF COMMONS DISQUALIFICATION ACT 1975

Thank you for sending me a copy of your letter and enclosures of 18 August to Willie Whitelaw. I am sorry that, owing to my absence abroad, I missed your deadline of end - August, but I would like to make two observations on your proposals.

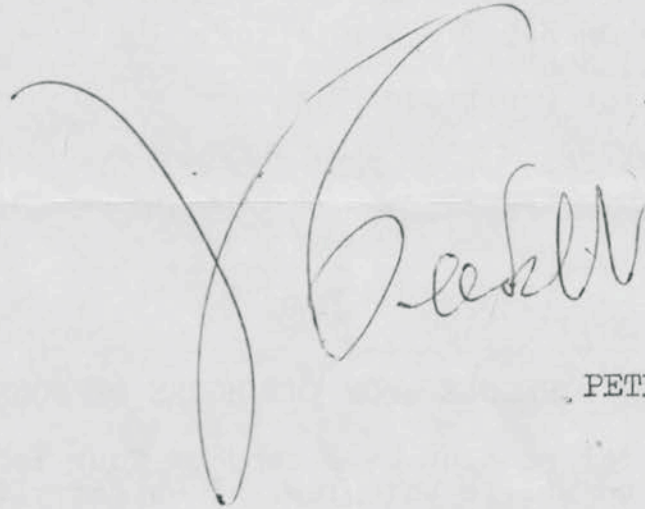
The first concerns the appropriate entry when an Act has been amended. I understand that it may have been at my Department's suggestion that at Item 12 of the Schedule to your letter there is reference to the "Agriculture Wages Act 1948, as amended". However I am advised that a reference to an Act automatically refers to it as amended and that it is not necessary to include those words. Either way the references to the Agricultural Wages Act in Items 12 and 13 presumably ought to be consistent. If there is any doubt on the matter I should be grateful if Parliamentary Counsel could look at the entry in Schedule 1 of the Disqualification Act relating to Industrial Training Boards constituted under the Industrial Training Act 1964 in view of the special modifications relating to the Agricultural Training Board in the Employment and Training Act 1973.

My other point is that it may be possible to add to the list of deletions the Government Directors of the British Sugar Corporation. The Government's power to appoint such directors stems not from statute but from the Articles of Association of the British Sugar Corporation. Until recently, however, there was a statutory control over amendments to the Articles. This control has now been removed and I expect the Corporation to pass a resolution amending their Articles so as to abolish these directorships shortly. If they do so before the Resolution which you propose is presented to the House this could be reflected in the amendment to Schedule 1.

/I am copying ...



I am copying this letter to the Prime Minister, other members of Cabinet, the Law Officers and to Sir Robert Armstrong and First Parliamentary Counsel.

A large, stylized handwritten signature in black ink, appearing to read 'Peter Walker'.

PETER WALKER

1887 1888 1889

A circular red stamp containing the numbers 1 through 12 arranged in a circle, resembling a clock face.

Parliament



DEPARTMENT OF TRANSPORT  
2 MARSHAM STREET LONDON SW1P 3EB

Miss Porter

Barney Hayhoe Esq MP  
Minister of State  
Civil Service Department  
Whitehall  
LONDON SW1A 2AZ

4 September 1981

Dear Barney.

12 75

UPDATING OF SCHEDULE 1 OF THE HOUSE OF COMMONS DISQUALIFICATION ACT 1975

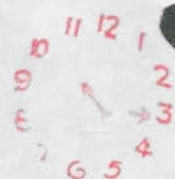
Thank you for sending me a copy of your letter to Willie Whitelaw dated 18 August. I agree that it is time the Schedule was updated. There is only one amendment which concerns my Department - No.15. The Channel Tunnel Planning Council - and it is plainly sensible that it should be deleted from the Schedule. The sponsoring Department should, of course, be shown as DTp.

I have considered whether the National Freight Company Limited might be thought to be in the same position as, for example, Rolls Royce. The position is that by the end of this year I hope that all or a majority of the shares will have been sold. At this point I shall relinquish control of the appointment of the Chairman and Directors which will then become a matter for the shareholders. For these reasons I do not think this Company should feature in the Schedule to the Disqualification Act.

Norman Fowler

NORMAN FOWLER

-8 SEP 1981



→ Parliament  
cc Miss Porter

Wm 2/9



QUEEN ANNE'S GATE  
LONDON SW1H 9AT

30 August 1981

Dear Barney

UPDATING OF SCHEDULE 1 TO THE HOUSE  
OF COMMONS DISQUALIFICATION ACT  
1975

Thank you for your letter of 18 August.

I agree that members of the Criminal Injuries Compensation Board, the Chairman of the Women's Royal Voluntary Service and Her Majesty's Chief Inspector of Prisons in England and Wales should be included in the Schedule and that arrangements should be made to do this in the coming session.

I am copying this letter to the recipients of yours.

Barney Haynoe, Esq., M.P.

20-10-1981



E-2 SEP 1981

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*Parliament*  
Foreign and Commonwealth Office

London SW1A 2AH

27 August 1981

✓  
MJD

Dear Bob,

GOVERNMENT BILLS SUITABLE FOR OFFERING TO PRIVATE MEMBERS IN  
1981/82 PARLIAMENTARY SESSION

Thank you for your letter of 30 July. I am afraid that the Foreign and Commonwealth Office do not have any Bills suitable for offering to a Private Member in the 1981/82 Parliamentary Session.

I am copying this letter to David Heyhoe (Chancellor of the Duchy of Lancaster's Office), Murdo Maclean (Government Whip's Office), Brian Shillito (First Parliamentary Counsel's Office) and Michael Pownall (Lord President's Office).

*Law*

*Adair*

A K C Wood  
Assistant Private Secretary  
to the Lord Privy Seal

R M Whalley Esq  
Cabinet Office  
Whitehall  
London SW1A 2AS

128 A

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28 AUG 1981

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*of Miss Porter.*



**with compliments**

MINISTER OF STATE

*MR*

---

*For Parliament: Registration file*

CIVIL SERVICE DEPARTMENT  
Whitehall London SW1A 2AZ

Telephone 01-273 5563/4086





Minister of State

The Rt Hon William Whitelaw CH MC MP  
Home Secretary  
Home Office  
Queen Anne's Gate  
LONDON SW1

*Parliament*

Civil Service Department  
Whitehall London SW1A 2AZ  
Telephone 01-273 3000

*18<sup>th</sup>* August 1981

*Sean Hillie*

UPDATING OF SCHEDULE 1 OF THE HOUSE OF COMMONS DISQUALIFICATION  
ACT 1975

Schedule 1 of this Act lists the offices whose holders are disqualified for membership of the Commons. The lists were last updated in 1968 and 1975. Discussions at official level have produced nearly 100 suggested amendments which reflect the abolition and creation of offices and changes in descriptions over the last 6 years; these proposals are generally in line with past practice.

I understand that there are two ways to amend the Schedule. First, amendments can be made by the statute which creates, abolishes or changes the description of an office. Second, under Section 5(1) of the 1975 Act the House may pass a Resolution that the Schedule be amended and this is followed by an Order in Council. The need for this second procedure arises because many offices are not created by statute and also because the appropriate legislative provision is sometimes not made.

I believe that we should be open to criticism if we did not soon seek to update the Schedule. Customarily CSD Ministers move the necessary Resolution but responsibility for deciding whether any particular office should or should not be disqualified rests with the Minister who "sponsors" the body or office concerned.

My purpose in writing to you and colleagues is:

- a. to seek agreement to update the Schedule in the coming Session;
- b. to seek confirmation of the amendments proposed in the attached list.

Attached to the list is a note briefly describing the procedure for amending the Schedule and the criteria for deciding on disqualification.



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19 AUG 1981

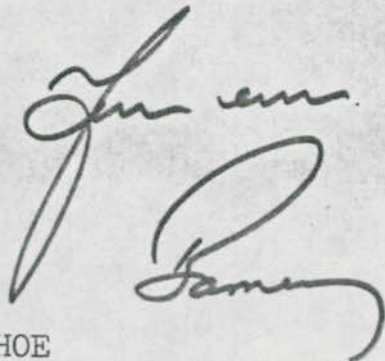
but

One point of primary concern to Keith Joseph, which may affect other colleagues concerns the Chairmen and Directors of British Leyland and Rolls Royce who are not, at present, disqualified. While these companies were, in effect, subsidiaries of the NEB, their non-disqualification was defensible because these paid offices were not in the direct gift of the Crown or of a Minister. But now that ownership has passed to the Secretary of State, I gather that Keith Joseph's approval of the appointment of the Chairmen is required (indeed, that he may nominate the Chairmen if he wishes) and that his consent is required for the appointment of the other Directors. In practice, this brings appointment to the Boards of British Leyland and Rolls Royce into much the same position as the appointments to many of the bodies listed in Part II of Schedule 1 to the 1975 Act. I think we might well be asked, therefore, when a Resolution to update the Schedule was before the House, why the Chairmen and Directors of BL and Rolls Royce should not be disqualified. I would be grateful to know if Keith Joseph agrees that these offices should be added to the list of proposed amendments. I would also be grateful if he and other colleagues would check whether there are any other companies which are in government ownership and where the question of disqualification remains to be resolved.

Departments have assured my officials that none of the proposed amendments to the Schedule would affect any sitting MP or MEP but colleagues may wish to satisfy themselves that none of the proposals would affect sitting Members.

It would be helpful if replies could reach me by the end of August. If the replies indicate that colleagues agree these proposals, I will arrange for a paper to go to Legislation Committee seeking, among other things, approval to ask Parliamentary Counsel to draft the Motion and subsequent Order.

I am sending copies of this letter to the Prime Minister and other members of Cabinet, to the Law Officers and to Sir Robert Armstrong and First Parliamentary Counsel.

A handwritten signature in cursive script, appearing to read 'Barney Hayhoe', written in dark ink.

BARNEY HAYHOE

HOUSE OF COMMONS DISQUALIFICATION ACT 1975  
ORDER IN COUNCIL TO AMEND SCHEDULE 1

EXPLANATORY NOTE

1. The 1975 Act provides for the disqualification of the holders of certain offices for membership of the House of Commons. Several broad categories of office holders are disqualified in the body of the Act (Section 1 disqualifies, among others, the civil service and members of the regular armed forces). In addition, disqualification applies to the members of bodies or to the holders of offices listed in Schedule 1 of the Act.

2. The Act does not specify principles to determine which offices should be disqualified. But the following criteria are known to the House and were used in preparing both the present Schedule and the proposed amendments to it. The presumption is that the House would want the office holder to be disqualified:

(a) if his office is in the gift of the Crown or a Minister and is one for which a salary, fee or other payment will or might be paid;

(b) if the office involves duties which, as regards time or place or both, might make it impossible for the holder to fulfill Parliamentary duties satisfactorily; or

(c) if the duties of the office are such that it is particularly important that the holder should be seen to be free from political bias.

3. Schedule 1 is amended from time to time by separate legislation establishing or abolishing public offices. These amendments are incorporated in subsequent annual reprints of the 1975 Act as provided for in section 5(2) of the Act. The latest reprint incorporates the amendments in force at 1 January 1981.

4. Schedule 1 may also be amended by Resolution of the House, followed by an Order in Council. This procedure makes it possible to deal with offices which are not created or abolished by statute. Before an Order in Council can be made under section 5(1) of the Act, a Resolution of the House of Commons is required. Such Resolutions and Orders were made in 1961, 1963, 1968 and 1975.

5. The proposed changes to Schedule 1 are listed in the Annex to this note. The changes to Part I of Schedule 1 (which lists certain Judicial Offices) consist of one additional entry and 4 amendments to existing entries. The changes to Part II of Schedule 1 (which lists the bodies all members of which are disqualified) consist of 24 additional entries, 16 deletions and 2 amendments to existing entries. The changes to Part III of Schedule 1 (which lists other disqualifying offices) consist of 21 additional entries, 16 deletions and 8 amendments to existing entries. One additional entry is proposed to Part IV of Schedule 1 (offices disqualifying for particular constituencies).

HOUSE OF COMMONS DISQUALIFICATION ACT 1975

AMENDMENT OF SCHEDULE 1

A. AMENDMENTS TO PART I

(additional material is underlined)

Explanatory Notes

1. Judge of the High Court or Lord Justice of Appeal in Northern Ireland [Delete: "of Justice or Court of Appeal"]
2. Stipendiary Magistrate within the meaning of sections 13 and 31 of the Justices of the Peace Act 1979 [Delete: "the Justices of the Peace Act 1949"]
3. Stipendiary Magistrate in Scotland within the meaning of the District Courts (Scotland) Act 1975
4. Resident Magistrate appointed under the Magistrates' Courts Act (Northern Ireland) 1964 [Delete: "Summary Jurisdiction and Criminal Justice Act (Northern Ireland) 1935 or "]

The amendment is consequential on the Judicature (Northern Ireland) Act 1978. [LCD(NI)]

The provisions of the 1949 Act have been superseded by the provisions now shown. [LCD(GB)]

The reference to the appropriate legislation is consistent with the treatment of the similar office in England and Wales. [SHHD]

The amendment is consequential on the Judicature (Northern Ireland) Act 1978. [LCD(NI)]

B. AMENDMENTS TO PART II

(additional material is underlined)

Explanatory Notes

5. An Independent Schools Tribunal constituted under Schedule 6 to the Education Act 1944 or Schedule 2 to the Education (Scotland) Act 1980 [Delete: "Schedule 7 to the Education (Scotland) Act 1962"]

The provisions of the 1962 Act have been superseded by the provisions now shown. [SHHD]

AMENDMENTS TO PART II (continued)

6. The Parole Board and the Parole Board for Scotland constituted under section 59 of the Criminal Justice Act 1967

Explanatory Notes

This amendment corrects an omission in the Schedule. [SHHD]

C. AMENDMENTS TO PART III

(additional material is underlined)

Explanatory Notes

7. Ambassador or Permanent Representative to an international organisation representing Her Majesty's Government in the United Kingdom
8. Chairman of a Local Tribunal constituted under section 97(4) of, and Schedule 10 to, the Social Security Act 1975 or under section 94(2) and Schedule 10 to, the Social Security (Northern Ireland) Act 1975 [Delete: first reference to "94(2)"]
9. Chief Electoral Officer for Northern Ireland or any whole time Officer appointed under section 14A (i) of the Electoral Law Act (Northern Ireland 1962 [Delete: "or Deputy Electoral Officer"]

This amendment is in order to include persons appointed as "permanent representatives" (eg at UN or EEC) as well as "ambassadors" in the strict sense of the word. [FCO]

This amendment corrects an earlier misprint of the first section reference. [NIO]

This amendment is to disqualify the staff of the Electoral Officer who are paid appointees, analogous to Civil Servants. [NIO]

AMENDMENTS TO PART III (continued)

Explanatory Notes

10. Distributor of Stamps appointed by the Commissioner of Inland Revenue to the Stock Exchange at Glasgow

The office of the Stock Exchange at Manchester has ceased to exist.

Delete: "Manchester or"

IR

11. Industrial Assurance Commissioner or Deputy Industrial Assurance Commissioner appointed under the Industrial Assurance (Northern Ireland) Order 1979 Delete: "Industrial Assurance Act (Northern Ireland) 1924"

Earlier legislation has been superseded. NIO

12. Member of the Agricultural Wages Board for England and Wales appointed jointly by the Minister of Agriculture Fisheries and Food and the Secretary of State for Wales under the Agricultural Wages Act 1948, as amended

This amendment is consequential on the Transfer of Functions (Wales) (No 1) Order 1978. MAFF

13. Member of an agricultural wages committee established under the Agricultural Wages Act 1948 appointed by the Minister of Agriculture, Fisheries and Food in England and by the Secretary of State in Wales, or Chairman of such a committee

This amendment is consequential on the Transfer of Functions (Wales) (No 1) Order 1978. MAFF

14. Member of a Wages Council or Central Co-ordinating Committee appointed under paragraph 1(a) of Schedule 1 to the Wages Councils Act (Northern Ireland) 1945

This amendment reflects a transfer of functions from the Wages Councils to the Labour Relations Agency in 1976. NIO

Delete: "or Member of a Commission of Inquiry appointed under paragraph 1(a) of Schedule 2 to the Act"



D. DELETIONS FROM PART II

Explanatory Notes

15. The Channel Tunnel Planning Council  
The Council ceased to exist when the Channel Tunnel project was formally shelved. [DOE/DTp]
16. The Employment Service Agency  
The Agency became a division of the Manpower Services Commission on 1 April 1978. [DEp]
17. The Location of Offices Bureau  
The Bureau has ceased to exist. [DOE/DTp]
18. The Matrication Board  
The Board ceased to exist on 30 April 1980.
19. The Ministry of Defence (Army Department) Teachers Selection Board  
The Board has ceased to exist. [MOD]
20. The National Health Service Staff Commission  
The Commission was wound up on 10 July 1975. [DHSS]
21. A Panel of Chairmen of Reinstatement Committees constituted under section 41 of the National Service Act 1948  
Chairmen of Committees have not been re-appointed. [DEp]
22. The Property Commission for Scotland established under section 224 of the Local Government (Scotland) Act 1973  
The Commission has completed its work and has ceased to exist. [SHHD]
23. The Staff Commission established under section 85(5) of the London Government Act 1963  
The Commission has completed its work and has ceased to exist. [DOE/DTp]
24. The Staff Commission established under section 257 of the Local Government Act 1972  
The Commission has completed its work and has ceased to exist. [DOE/DTp]

DELETIONS FROM PART II (continued)

25. The Staff Commission for Scotland established under section 218 of the Local Government (Scotland) Act 1973
26. The Staff Commission for Wales established under section 258 of the Local Government Act 1972
27. The Sugar Board
28. The Training Services Agency
29. The Water Resources Board
30. The Welsh National Health Service Staff Commission

E. DELETIONS FROM PART III

31. Accountant of Court appointed under section 25 of the Administration of Justice (Scotland) Act 1933
32. Agent for Northern Ireland in Great Britain
33. Chairman of a Regional Economic Planning Council
34. Clerk of the Crown and Peace in Northern Ireland

Explanatory Notes

The Commission has completed its work and has ceased to exist.

[SHHD]

The Commission has completed its work and has ceased to exist.

[WO]

The Board ceased to exist on 15 February 1977.

[MAFF]

The Agency became a division of the Manpower Services Commission on 1 April 1978.

[DEP]

The Board ceased to exist on 1 April 1974 but was not deleted by the 1975 amending Order.

[DOE/DTp]

The Commission has completed its work and has ceased to exist.

[WO]

Explanatory Notes

The holder of the post is a civil servant of the Crown, disqualified by section 1(1)(b) of the 1975 Act.

[SCA]

The appointment has ceased to exist.

[NIO]

The Councils ceased to exist on 1 September 1979.

[DOE/DTp]

The functions of this office were transferred by the Clerks of the Crown and Peace (Transfer of Functions) Order (Northern Ireland) 1979 to offices either already included in the Schedule or now proposed for inclusion.

[Crown Office]

DELETIONS FROM PART III (continued)

Explanatory Notes

35. Clerk of the Peace in Scotland  
Under the District Courts (Scotland) Act 1975 the duties of Clerk of the Peace are performed by local authority officers. [SHHD]
36. Clerk or Assistant Clerk of Petty Sessions in Northern Ireland  
These offices were subsumed by the Northern Ireland Courts Service established by the Judicature (Northern Ireland) Act 1978. They are replaced by offices now proposed for addition to the Schedule. [LCD(NI)]
37. Director appointed at a salary of Industrial Advisers to the Blind Limited  
The company was incorporated within Remploy Limited on 25 September 1975. [DEP]
38. Director appointed at a salary of the National Institute for House-craft (Employment and Training) Limited  
The company was dissolved on 4 July 1975. [DEP]
39. Director of the Peterhead Bay (Management) Company Limited  
[The Company is now expected to be dissolved by legislation in the 1981/82 Session but its deletion from the Schedule is already valid] The Chairman is appointed and other Directors are nominated by a Minister but all members of the Board are unpaid. [SHHD]
40. Member of the Council of the National Computing Centre appointed at a salary by a Minister of the Crown or Government department  
The National Computing Centre ceased to be subject to governmental control on 17 March 1978. [DTI]
41. Member of the Permanent Joint Hops Committee appointed by a Minister of the Crown or Government department  
The Committee was wound up on 15 August 1977. [MAFF]

DEFINITIONS FROM PART III (continued)

Explanatory Notes

42. Member of a panel of valuers appointed at an annual salary under section 4 of the Inland Revenue Regulations Act 1890
43. Officer or other member of the County Court Service within the meaning of the County Courts Act (Northern Ireland) 1959
44. Principal Clerk of Justiciary appointed under section 25 of the Administration of Justice (Scotland) Act 1933
45. Sheriff Clerk or sheriff clerk depute appointed under sections 1 and 2 of the Sheriff Courts and Legal Officers (Scotland) Act 1927
46. Substitution Officer of the Royal Air Force
- This entry is now spent. Valuers of this nature have not been appointed by Inland Revenue for several years and no appointees now remain. [IR]
- These offices were subsumed by the Northern Ireland Courts Service established by the Judicature (Northern Ireland) Act 1978. They are replaced by offices now proposed for addition to the Schedule. [LCD(NI)]
- The holder of the post is a civil servant of the Crown, disqualified by section 1(1)(b) of the 1975 Act. [SCA]
- The holder of the post is a civil servant of the Crown, disqualified by section 1(1)(b) of the 1975 Act. [SCA]
- This type of appointment has ceased to exist. [MOD]

F. ADDITION TO PART I

Explanatory Note

47. Circuit Registrars in Northern Ireland
- These appointments have taken over certain of the duties of the Clerk of the Crown and Peace, which is now proposed for deletion from Part III. [LCD(NI)]

G. ADDITIONS TO PART II

Explanatory Notes

48. The Attendance Allowance Board for Northern Ireland
- Members of the Board are appointed subject to the approval of a Minister and are paid. The equivalent body in Great Britain is included in Part II. [NIO]
49. The Civil Service Appeal Board
- The Board was established in 1972 but was not included in the 1975 amending Order. Members are appointed by a Minister and are paid. [CSD]
50. The Criminal Injuries Compensation Board
- The Board was established in 1964 but was not included in earlier amending Orders. Members are appointed by a Minister and are paid. [HO]
51. The Equal Opportunities Commission for Northern Ireland
- The Commission was established in 1976. Members of the Board are appointed subject to the approval of a Minister and are paid. The equivalent body in Great Britain is included in Part II. [NIO]
52. The Health and Safety Agency for Northern Ireland
- The Agency was established in 1978. Members are appointed subject to the approval of a Minister and are paid. The equivalent body in Great Britain is included in Part II. [NIO]
53. The Labour Relations Agency
- The Agency was established under Article 4 of the Industrial Relations (Northern Ireland) Order 1976. Members are appointed subject to the approval of a Minister and are paid. [NIO]

ADDITIONS TO PART II (continued)

Explanatory Notes

54. The Livestock Marketing Commission for Northern Ireland
- The Commission was established in 1967 but was not included in earlier amending Orders. Members are appointed subject to the approval of a Minister and are paid. [NIO]
55. The Local Enterprise Development Unit
- The Unit was established in 1971 but was not included in the 1975 amending Order. Members are appointed subject to the approval of a Minister and are paid. [NIO]
56. The Mental Health Review Tribunal for Northern Ireland
- The Tribunal was established in 1961 but was not included in earlier amending Orders. Members are appointed subject to the approval of a Minister and are paid. The equivalent body in Great Britain is included in Part II. [NIO]
57. The National Consumer Council
- Members of the Council are nominated by a Minister and are paid. [DTI]
58. The Northern Ireland Civil Service Appeal Board
- The Board was established in 1974 but was not included in the 1975 amending Order. Members are appointed subject to the approval of a Minister and are paid. The equivalent body in Great Britain is now proposed for inclusion in Part II. [NIO]
59. The Northern Ireland Development Agency
- The Agency was established in 1976. Members are appointed subject to the approval of a Minister and are paid. [NIO]
60. The Northern Ireland Economic Council
- Members are appointed by a Minister and are paid. [NIO]

ADDITIONS TO PART II (continued)

Explanatory Notes

61. The Northern Ireland Fishery  
Harbour Authority
- The Authority was established in 1973 but was not included in the 1975 amending Order. Members are appointed subject to the approval of a Minister and are paid. [NIO]
62. The Northern Ireland Housing  
Executive
- The Executive was established in 1971 but was not included in the 1975 amending Order. Members are appointed subject to the approval of a Minister and are paid. [NIO]
63. The Northern Ireland Tourist  
Board
- The Board was established in 1948 but was not included in earlier amending Orders. Members are appointed subject to the approval of a Minister and are paid. Members of equivalent bodies in Great Britain are included in Schedule I. [NIO]
64. The Northern Ireland Transport  
Holding Company
- The Company was established in 1967 but was not included in earlier amending Orders. Directors are appointed subject to the approval of a Minister and are paid. [NIO]
65. A panel to consider representations  
about licences under the Employment  
Agencies Act 1973
- The panel was constituted in 1976. Members are appointed by a Minister and are paid. [DEO]
66. The Planning Appeals Commission in  
Northern Ireland
- The Committee was established in 1972 but was not included in the 1975 amending Order. Members are appointed by a Minister and are paid. [NIO]
67. The Manpower Services Committee for  
Scotland
- The Committee was established in 1977. Members are appointed subject to the approval of a Minister and are paid. [SHHD]

ADDITIONS TO PART II (continued)

Explanatory Notes

68. The Manpower Services Committee  
for Wales

The Committee was established in 1977. Members are appointed subject to the approval of a Minister and are paid.

[WO]

69. The Tribunal established under  
the Prevention of Fraud  
(Investments) Act 1958

Members of the Tribunal are appointed by a Minister and are paid. [DTI]

70. A Vaccine Damage Tribunal  
constituted for the purpose  
of the Vaccine Damage Payments  
Act 1979, including any panel  
constituted for the purpose of  
any such Tribunal

Members of Tribunals are appointed by a Minister and are paid. [DHSS]

71. The Water Appeals Commission

The Commission was established under Article 7 of the Water and Sewerage Services (Northern Ireland) Order 1973 but was not included in the 1975 amending Order. Members are appointed by a Minister and are paid. [NIO]

H. ADDITIONS TO PART III

Explanatory Notes

72. Chairman of the British Overseas  
Trade Board

The Chairman is appointed by a Minister and is paid. [DTI]

73. Chairman of the Dental Committee of  
The Northern Ireland Central Services  
Agency for the Health and Social  
Services

The Chairman is appointed subject to the approval of a Minister and is paid. The equivalent post in Great Britain is included in Part III. [NIO]

74. Chairman of the Domestic Coal  
Consumer Council

The Chairman is appointed by a Minister and is paid. [DTI]

75. Chairman of the Electricity  
Consumer Council

The Chairman is appointed by a Minister and is paid. [DTI]



ADDITIONS TO PART III (continued)

Explanatory Notes

76. Chairman of Enterprise Ulster  
The Chairman is appointed subject to the approval of a Minister and is paid. [NIO]
77. Chairman, Deputy Chairman and Directors of International Military Services Limited  
All Directors are appointed subject to the approval of a Minister and are paid. [MOD]
78. Chairman of the Management Committee of the Common Services Agency for the Scottish Health Service  
The Agency was constituted in 1974. The Chairman is appointed by a Minister and is paid. [SHHD]
79. Chairman of the Northern Ireland Police Authority  
The Authority was established under the Police (Northern Ireland) Act 1970 but was not included in earlier amending Orders. The Chairman is appointed by a Minister and is paid. [NIO]
80. Chairman of the Prescription Pricing Authority  
The Chairman is appointed by a Minister and is paid. The post was established in 1974 but was unpaid until 1975. [DHSS]
81. Chairman of the Standing Advisory Commission on Human Rights in Northern Ireland  
The Chairman is appointed by a Minister and is paid. [NIO]
82. Chairman of the Women's Royal Voluntary Service  
This office was established in 1938 but was unpaid until 1976. The Chairman is appointed by a Minister. [HO]
83. Director of Harland and Wolff Limited  
The Company is wholly owned by the State. Directors are appointed subject to the approval of a Minister and are paid. Directors are disqualified from a Northern Ireland Assembly. [NIO]

ADDITIONS TO PART III (continued)

Explanatory Notes

84. Director of Short Brothers Limited
85. The Governor or Administrator of a dependent territory
86. Her Majesty's Chief Inspector of Prisons in England and Wales
87. A lay observer appointed under Article 42 of the Solicitors (Northern Ireland) Order 1976
88. Levy Exemption Referees appointed under powers conferred by the Industrial Training Act 1964 and the Employment and Training Act 1973
89. A Member of the Board of the Royal Ordnance Factories
90. A person appointed to hear and decide appeals under the Trade Marks Act 1938
91. President, or member of a panel of Chairmen, of industrial tribunals established under section 13 of the Industrial Training Act (Northern Ireland) 1964
- The Company is wholly owned by the State. Directors are appointed subject to the approval of a Minister and are paid. Directors are disqualified from a Northern Ireland Assembly. [NIO]
- These offices are Crown appointments and are paid. Their addition is consistent with the inclusion of Ambassadors and High Commissioners in Part III and removes an anomaly. [FCO]
- This office is a paid appointment of the Crown. [HO]
- The appointment is made subject to the approval of a Minister and is paid. [NIO]
- These offices were established in 1974 but were not included in the 1975 amending Order. The Referees are appointed by a Minister and are paid. [DEP]
- The Board was established in 1972 but was not included in the 1975 amending Order. Members are appointed by a Minister and are paid. [MOD]
- This office was not included in earlier Acts or amending Orders. The appointment is made by a Minister and is paid. [DTI]
- These appointments are made subject to the approval of a Minister and are paid. [NIO]

ADDITIONS TO PART III (continued)

92. Returning Officer under section 17(2) of the Representation of the People Act 1949 and any Deputy Returning Officer appointed by him

Explanatory Notes

In 1977, the duties of returning officers passed from Sheriffs (who were already disqualified) to returning officers for local authorities. This addition disqualifies local authority returning officers in the light of these duties. [SHHD]

I. ADDITION TO PART IV

93. Her Majesty's Lord Lieutenant for the City of Belfast, for the City of Londonderry or for a county in Northern Ireland

Explanatory Note

These offices were not included in earlier Acts or amending Orders. They are Crown appointments. Although unpaid, it is considered important that appointees are politically neutral. [NIO]

CONFIDENTIAL

Parliament



DEPARTMENT OF TRANSPORT  
2 MARSHAM STREET LONDON SW1P 3EB

Nick Huxtable Esq  
Private Secretary to  
Chancellor of the Duchy of Lancaster  
Privy Council Office  
Whitehall  
LONDON SW1

✓ MAF

5 August 1981

Dear Nick

LEGISLATIVE PROGRAMME 1981/82

In his letter of 27 July, the Chancellor of the Duchy asked for revised estimates of the date of introduction and Royal Assent of both my Secretary of State's Bills for the 1981/82 Session on the assumptions that they remained as originally proposed to QL and that they were amended as proposed by Mr Fowler in his letter of 22 July. We have now had Cabinet's and E's provisional decisions on my Secretary of State's proposals, but you should have the information, which I attach in the form requested. You will see in particular that the effect of moving the ports provisions into the Transport Bill would be that Royal Assent would be required for this Bill by July 1982.

I am copying this letter to Private Secretaries to other members of QL and to Sir Henry Rowe and Sir Robert Armstrong.

Yours truly

C R EDWARDS  
Private Secretary

Flag B —  
Pt 7

Flag A1  
Pt 7

CONFIDENTIAL

Bill as originally proposed		Present Proposal		
Introduction	Royal Assent	Introduction	Royal Assent	
Transport (Financial Provisions)	Beginning of Session*	July 1982	Beginning of Session	Required as soon as possible, and well before the end of 1981-82 financial year
Transport	Beginning of Session	No specific requirement	Beginning of Session*	July 1982

\*Assuming no major restructuring of PLA or MDHC



CABINET OFFICE  
70 WHITEHALL  
LONDON SW1A 2AS

XXXXXXXXXXXX

01-233 7665

30 July 1981

Dear Private Secretary

GOVERNMENT BILLS SUITABLE FOR OFFERING TO PRIVATE  
MEMBERS IN 1981/82 PARLIAMENTARY SESSION

1. I am writing to invite Departments to suggest suitable Bills for offering to Private Members of the House of Commons who are successful in the ballot for Bills. The ballot will take place on the second Thursday of the new Session.
2. To be suitable for this purpose a Bill should normally be short, simple, non-financial and largely uncontroversial. I attach a list of the five Bills which were included in Departments' bids for the legislative programme 1981/82 and thought suitable for this procedure. We should be grateful to know from the responsible Department whether these Bills can be included in the list of Bills for offering to private Members, subject to their receiving policy clearance (see paragraph 4). We should also be grateful if Departments could suggest further possible private Members' Bills since it will be necessary to build up a longer list covering as wide a range of interests as possible.
3. While there can be no assurance that any of these Bills will be taken up by a private Member, the procedure does offer a useful way of securing the enactment of legislation which might not otherwise reach the Statute Book for some time. A full and reasonably attractive list of measures is also useful in that if Members, especially Government supporters, who are successful in the ballot, take up some of these Bills, the risk of too many other unwelcome and time-consuming measures being introduced (with the consequent extra work for Departments) is reduced. We should therefore be very grateful for your help in producing a suitable list of Bills.
4. No Bill in this list may be firmly offered to a private Member until Departments have obtained collective policy approval for it, and every effort should be made to obtain it in good time. Departments should indicate whether policy approval has been given; if it has not, they should indicate when it is likely to be forthcoming. Departments may include Bills which are likely to receive policy approval before the middle of October.
5. Negotiations with Members successful in the ballot - of whatever Party - are the responsibility of the Whips' Office. They are best placed to co-ordinate approaches to the various Members and requests from them; Departments should not contact individual Members themselves. If a Minister is approached by a Member successful in the ballot, the Whips' Office would be grateful to be told as soon as possible. The Bill need not be drafted before the Member gives notice of presentation, but the contents must be sufficiently clear to enable

Parliamentary Counsel to draft the long title in time for the Bill to be presented. Drafting authority for this and for the subsequent preparation of the Bill should be sought from the Chancellor of the Duchy of Lancaster in the normal way. The last day for presentation is the day before the fifth Wednesday of the Session. The Member may however need the final print of the Bill very shortly after that, if it is required for an early second reading.

6. I should be grateful if Departments would include in their replies a short description of each of the Bills proposed, including its likely length, in a form suitable for showing to private Members. Replies to this letter should be sent to me by FRIDAY 4 SEPTEMBER. If policy approval has not by then been secured for any of the Bills in the list, please let me know (by telephone if that is convenient) as soon as it is obtained. Please also let me know of any additional Bills which may be identified up to the Opening of the new Session.

7. I am sending this letter to the Private Secretaries to all Ministers responsible for Departments and copying it to David Heyhoe (Chancellor of the Duchy's Office), Murdo Maclean (Chief Whip's Office), Brian Shillito (Office of the First Parliamentary Counsel) and Michael Pownall (Lord President's Office).

Yours sincerely

R.M. Whalley

R M WHALLEY

Enc

Private Secretary to the  
Prime Minister

RESTRICTED

SESSION 1981/82

BILLS WHICH MIGHT BE SUITABLE FOR HANDING  
TO A MEMBER SUCCESSFUL IN THE BALLOT

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<u>Department</u>	<u>Title</u>
DHSS	Private Children's Homes (Registration)
Home Office	Marriage (Invalids and Detained Persons)
Trade	Hotel Proprietors' Act Amendment
Lord Chancellor's Department	Matrimonial Homes and Property
Scottish Office	Deer (Scotland)

RESTRICTED



FART 7 ends:-

RTA to PM

A05343 28.7.87

PART 8 begins:-

Cab off to PS

30.7.87

