

PREM 19/865

PART 9

Confidential Filing

Legislative Programme

PARLIAMENT

PART 1: May 1979

PART 9: March 1982

Referred to	Date	Referred to	Date	Referred to	Date	Referred to	Date
1-3-82		25-5-82					
2-3-82		3-6-82					
3-3-82		16-6-82					
5-3-82		1-7-82					
11-3-82		6-7-82					
12-3-82		12-7-82					
23-3-82		14-7-82					
26-3-82		16-7-82					
30-3-82		20-7-82					
11-4-82		29-7-82					
22-4-82		15-10-82					
23-4-82		21-10-82					
30-4-82		27.10.82					
6-5-82		28.10.82					
11-5-82		— Pt 9 Ends —					
12-5-82							
13-5-82							
14-5-82							

PREM 19/865

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PART 9 ends:-

Govt Legislation 28/10/82

PART 10 begins:-

L(82) 15th Mtg - Item 3 9/11/82

TO BE RETAINED AS TOP ENCLOSURE

Cabinet / Cabinet Committee Documents

Reference	Date
H(82) 5th Meeting, Minutes	2.3.82
QL(82) 18th Meeting, Minutes	3.3.82
CC(82) 10th Meeting, Item 2	11.3.82
L(82) 43	12.3.82
QL(82) 2nd Meeting, Minutes	23.3.82
QL(82) 4	26.3.82
QL(82) 3rd Meeting, Minutes	30.3.82
C(82) 10	13.4.82
C(82) 11	13.4.82
CC(82) 17th Meeting, Minute 1	14.4.82
CC(82) 19th Meeting, Minute 5	22.4.82
QL(82) 6	30.4.82
QL(82) 14th Meeting, Minutes	5.5.82
L(82) 59	6.5.82
C(82) 22	10.5.82
CC(82) 26th Meeting, Minute 4	13.5.82
L(82) 60	25.5.82
CC(82) 32nd Meeting, Minute 4	9.6.82
E(EA)(82) 19	6.7.82
E(EA)(82) 20	12.7.82
E(EA)(82) 10th Meeting, Minute 4.3	14.7.82
CC(82) 40th Meeting, Minute 3	29.7.82
CC(82) 42nd Meeting, Minute 1	30.9.82
L(82) 62	5.10.82
L(82) 80	21.10.82

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

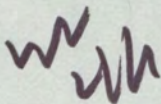
Signed Wayland

Date 25 October 2012

PREM Records Team

020

12 DOWNING STREET,
S.W.1.



With

The Private Secretary's

Compliments

GOVERNMENT LEGISLATION

<u>Orders and Regulations</u>	<u>Date Laid</u>	<u>Whether Controversial</u>	<u>Date Required</u>
Coypus (Keeping)	25/10	No	By Xmas
Customs Duties (ECSC)	14/10	No	By 19/11
Customs Duties (ECSC) (No 2)	19/10	No	By 19/11
Employment Sidsidies Act 1978	19/10	No	By 20/12
Films (No 2)	7/7	Yes	A.s.a.p.
Merchant Shipping	18/10	No	By 1/12
Milk (N.I.)	19/10	No	No deadline
Mink (Keeping)	25/10	No	By Xmas
Quarries (N.I.)	19/10	No	No deadline
RSG Supplementary Report (England)	28/7	Yes	A.s.a.p.
Summer Time	18/10	No	By 12/11
Supplementary Benefit	21/10	No	By 22/11
Wages Councils (N.I.)	21/10	No	No deadline

Bills placed upon the Statute Book (45)

Administration of Justice 1982
Agricultural Training Board 1982
Appropriation 1982
Aviation Security 1982
Canada 1982
Civic Government (Scotland) 1982
Civil Aviation 1982
Civil Aviation (Amendment) 1982
Civil Jurisdiction and Judgments 1982
Coal Industry 1982
Consolidated Fund (No 2) 1981
Consolidated Fund 1982
Criminal Justice 1982
Currency 1982
Derelict Land 1982
Duchy of Cornwall Management 1982
Employment 1982
Finance 1982
Fire Service College Board (Abolition) 1982
Harbours (Scotland) 1982
Hops Marketing 1982
Housing (Amendment) (Scotland) 1981
Industrial Development 1982
Industrial Training 1982
Industry 1982
Insurance Companies 1982
Iron and Steel 1982
Legal Aid 1982
Local Government and Planning (Scotland) 1982
Local Government Finance 1982
Local Government (Miscellaneous Provisions) 1982
Mental Health (Amendment) 1982
Merchant Shipping (Liner Conferences) 1982
New Towns 1982
Northern Ireland 1982
Nuclear Industry (Finance) 1981
Oil and Gas (Enterprise) 1982
Reserve Forces 1982
Shipbuilding 1982
Social Security and Housing Benefits 1982
Social Security (Contributions) 1982

Stock Transfer 1982

Taking of Hostages 1982

Transport 1982

Transport (Finance) 1982

Travel Concessions (London) 1982

Leg. Prog

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10 DOWNING STREET

From the Private Secretary

28 October 1982

LEGISLATIVE PROGRAMME 1983/84

The Prime Minister was grateful for the Home Secretary's minute of 25 October. She agrees that departments should be asked to divide their proposals for the 1983/84 programme in the way suggested in the third paragraph of his minute.

I am copying this letter to Richard Hatfield (Cabinet Office).

W.F.S. RICKETT

John Halliday, Esq.,
Home Office.

CONFIDENTIAL



Treasury Chambers, Parliament Street, SW1P 3AG

The Rt Hon The Baroness Young
Lord Privy Seal
Management & Personnel Office
Old Admiralty Building
Whitehall
LONDON SW1A 2AZ

27 October 1982

Dear Janet,

UPDATING SCHEDULE 1 TO THE HOUSE OF COMMONS DISQUALIFICATION ACT
1975

Thank you for your letter of 11 October.

As you know I agree that Schedule 1 should be updated and I am content with the amendments and explanatory notes covering Treasury and Customs and Excise appointments; no sitting MP or MEP is affected. Any changes to our lists of disqualifying offices will be promptly notified to your officials.

I am copying this letter to the recipients of yours.

Barney Hayhoe

BARNEY HAYHOE



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27 OCT 1982

CONFIDENTIAL



Prime Minister

Content to proceed
as suggested by the
Home Secretary at X. ?

PRIME MINISTER

LEGISLATIVE PROGRAMME 1983/84

WMS not

LM
26/60

The Queen's Speeches and Future Legislation Committee (QL) will shortly be asking Departments for their bids for the legislative programme for 1983/84. These bids will form the basis of QL's subsequent recommendations to the Cabinet.

Since a General Election must be held in or before the Spring of 1984, I think that Departments will have to be asked to frame their proposals in a way that will enable us to plan for two possible situations:

- (a) an election in the Spring of 1984, which would mean-
 - (i) a short Session of up to six months starting in October/November 1983, followed by
 - (ii) the first Session of a new Parliament, starting in the Spring of 1984 and presumably continuing until July 1985; and
- (b) an election in or before the autumn of 1983, followed by the first Session of a new Parliament starting in October/November 1983.

(it would be possible for the 1982/83 Session to be prolonged, but that would not affect the basis on which Departments should put in their bids for 1983/84).

If the Session beginning in October /November 1983 turns out to be the first Session of a new Parliament, we shall need a normal number of Bills for early introduction. Parliamentary Counsel clearly cannot draft a second and different set of Bills for a possible short Session starting in October/November 1983, and so I think that Departments should be asked to divide their proposals into the following categories:

- A. Bills considered suitable for a Session starting in October/November 1983, whether this turns out to be a short or a normal Session;
- B. Additional Bills considered suitable for a Session starting in October/November 1983 if this turns out to be a normal Session (i.e. the first Session of a new Parliament);

X

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- C. Bills not included in category A or B which are considered suitable for a long Session starting in the Spring of 1984.

If the election is not held until the Spring of 1984, we could then reconsider the position and draw up, on the basis of the proposals in categories B and C, a programme for the long first Session of the new Parliament which would follow the election. This would doubtless include a fair number of Bills in category B on which work would have begun and which should, therefore, be ready for introduction at the beginning of the long first Session.

It may be difficult for some Departments to identify Bills in category C, and until the Manifesto is produced there must be some uncertainty about the priorities for legislation in the next Parliament. But we cannot afford to let the summer of 1983 go by without preparing some major Bills for that Parliament.

All proposals should, of course, assume an outright Conservative win at the election.

I am sending copies of this minute to other members of the Cabinet, the Law Officers, the Chief Whip and the Chief Whip, Lords, and to First Parliamentary Counsel and Sir Robert Armstrong.

hs 14
25 October 1982

8/10

12 DOWNING STREET,
S.W.1.

Wm
25/10

With
The Private Secretary's
Compliments

Pastnet

GOVERNMENT LEGISLATION

(i) Committee of Whole House
 ✓ Industrial Development (L)

(ii) Lords Amendments
 Employment
 Transport

(iii) <u>Orders and Regulations</u>	<u>Date Laid</u>	<u>Whether Controversial</u>	<u>Date Required</u>
Customs Duties (ECSC)	14/10	No	By 19/11
Customs Duties (ECSC) (No 2)	19/10	No	By 19/11
Employment Subsidies Act 1978	19/10	No	By 20/12
Films (No 2)	7/7	Yes	A.s.a.p.
Homosexual Offences (N.I.)	14/7	Yes	For debate, 25/10
Merchant Shipping	18/10	No	By 1/12
Milk (N.I.)	19/10	No	No deadline
Planning (Amendment) (N.I.)	7/7	No	For debate, 25/10
Quarries (N.I.)	19/10	No	No deadline
RSG Supplementary Report (England)	28/7	Yes	A.s.a.p.
Summer Time	18/10	No	By 12/11
Supplementary Benefit	21/10	No	By 22/11
Wages Councils (N.I.)	21/10	No	No deadline

Lords

✓ Administration of Justice (L)
 Criminal Justice
 Duchy of Cornwall Management
 ✓ Insurance Companies (L)
 Mental Health (Amendment) (L)

Awaiting Royal Assent

Civic Government (Scotland) (L)
 Legal Aid (L)

✓ Consolidation

Bills placed upon the Statute Book (36)

Agricultural Training Board 1982
Appropriation 1982
Aviation Security 1982
Canada 1982
Civil Aviation 1982
Civil Aviation (Amendment) 1982
Civil Jurisdiction and Judgments 1982
Coal Industry 1982
Consolidated Fund (No 2) 1981
Consolidated Fund 1982
Currency 1982
Derelict Land 1982
Finance 1982
Fire Service College Board (Abolition) 1982
Harbours (Scotland) 1982
Hops Marketing 1982
Housing (Amendment) (Scotland) 1981
Industrial Training 1982
Industry 1982
Iron and Steel 1982
Local Government and Planning (Scotland) 1982
Local Government Finance 1982
Local Government (Miscellaneous Provisions) 1982
Merchant Shipping (Liner Conferences) 1982
New Towns 1982
Northern Ireland 1982
Nuclear Industry (Finance) 1981
Oil and Gas (Enterprise) 1982
Reserve Forces 1982
Shipbuilding 1982
Social Security and Housing Benefits 1982
Social Security (Contributions) 1982
Stock Transfer 1982
Taking of Hostages 1982
Transport (Finance) 1982
Travel Concessions (London) 1982



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

From the Minister

The Rt Hon The Baroness Young
Lord Privy Seal
Management and Personnel Office
Whitehall
London
SW1

15 October 1982

R. Smet

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

Thank you for sending me a copy of your letter of 11 October to the Home Secretary on this subject.

The amendments proposed in respect of my Department's entries are not entirely correct as presently drafted. I therefore attach revised entries covering a number of minor typing errors in the draft enclosed with your letter and incorporating a more substantial amendment in respect of the proposed entry for the Wine Standards Board (which our officials have recently agreed). I can confirm that these entries will not affect the position of any sitting MP or MEP. I also fully endorse the proposal to update the Schedule in the coming Session.

The review of the workings of this Act undertaken by your office, has prompted us to undertake a detailed review, not only of our current entries in the Schedule, but also of our departmental procedures for ensuring that our list of disqualifying offices is maintained up to date on a regular basis. I therefore see no problem in our being able to keep your office fully informed in the future - either on a regular or ad hoc basis - of any required changes to entries sponsored by my Department, together with explanatory notes if required.

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

Peter Walker

PETER WALKER

PROPOSED AMENDMENTS

MINISTRY OF AGRICULTURE FISHERIES AND FOOD

PART III ADDITION

Entry in Schedule

Chairman of the Wine Standards Board
of the Vintners' Company (MAFF)

Explanatory Notes

The Board was set up in 1973 by a Memorandum of Agreement between the Minister of Agriculture, Fisheries and Food and the Vintners' Company. It has not been included in the Schedule previously because only since the beginning of 1981, have the operations of the Board been part-funded by the Government.

The Chairman is paid an honorarium of £1000 and is nominated by the Minister and formally approved by the Vintners' Company. Ministerial nominations are subject to prior consultation with SHHD, DANI and WOAD

PART III ADDITION

Chairmen of Regional Land Drainage
Committees of English Water
Authorities (MAFF)

The Committees are responsible for Water Authorities' programmes of land drainage/sea defence works, which are grant-aided by MAFF. The Committees were established by Schedule 5 to the Water Act 1973, superseded by the Land Drainage Act 1976, Section 2. Chairmen are paid £2675 pa and are appointed by the Minister from among his appointees to the relevant Water Authorities.

PART III AMENDMENT

Entry in Schedule

'Director of the Agricultural Mortgage Corporation Limited nominated by a Minister of the Crown or government department' to read:

'Director of the Agricultural Mortgage Corporation Public Limited Company nominated by a Minister of the Crown or government department' (MAFF)

Under the Companies Acts 1948-1980 the Corporation has re-registered as the Agricultural Mortgage Corporation plc. The Government Directors of the Corporation are appointed by Ministers and entitled to a salary of £2675 pa, which is payable from Corporation funds.

PART III - DELETION

Director of the British Sugar Corporation Limited appointed by the Ministers as defined by Section 17 of the Sugar Act 1956 (MAFF)

The Company changed its Articles of Association in 1982, they no longer provide for government appointed Directors.

010



Prime Minister +
Parliament 11/10

Management and Personnel Office
Whitehall London SW1W 2JW
Telephone 01 273 4400
GYN 273

11 October 1982

The Rt Hon William Whitelaw, CH, MC, MP
Secretary of State for the Home
Department
50 Queen Anne's Gate
LONDON SW1H 9AT

Dear William,

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

Schedule 1 to the above Act lists the offices whose holders are disqualified for membership of the House of Commons. The Schedule was last updated in February this year. But since then discussions at official level have brought to light over 50 further amendments. This means that another Commons Resolution and an Order in Council under section 5(1) of the 1975 Act are needed to bring the legislation up to date and to fulfil a promise made when the last Resolution was debated: that we should endeavour to bring forward amendments more regularly and not allow them to accumulate. We should like to be in a position to put a Resolution and amending Order before Parliament around the turn of the year, in time for the amendments to appear in a March 1983 reprint of the Act.

The question of which offices disqualify for membership of the Commons is of course primarily a matter for the 'sponsor' Minister concerned (although Barney Hayhoe as MPO spokesman in the Commons would be responsible for seeing the Order through the House). My purpose in writing to you and other colleagues is therefore:

- a. to seek agreement generally to update the Schedule to the Act in the coming Session;
- b. to seek confirmation from Ministers concerned of the amendments proposed by their Departments; and that making these amendments would not affect the position of any sitting MP or MEP;
- c. to seek confirmation from other Ministers that they have no amendments (including additions and deletions) that they wish to see made.

I am attaching a note on the administrative criteria which are normally applied in deciding whether an office should disqualify and on the procedures for amending the Schedule.

We also undertook during the last Debate on an amending Order to ensure that in future each proposed amendment is supported by an explanatory note so that the House knows what it is voting on. We have included some explanations with each proposed entry in the material I am now circulating. Obviously these will have to be tidied up nearer the time when a Resolution is moved, but I should be grateful for any initial comments that sponsor Ministers may have.

Officials have been carrying out a more general review of the workings of disqualification legislation as a result of criticism voiced in the Debate last February, and we expect their report fairly soon. But we should not delay making an amending Order on that score; it can be a quite separate exercise.

I should be very grateful for replies by 15 October. I am also writing to the Lord President of the Council to seek his agreement to the use of Parliamentary Counsel to draft the Motion and amending Order, subject to colleagues' agreement that we should proceed.

I am sending copies of this letter to the Prime Minister and other Ministers in charge of Departments, to the Law Officers, and to Sir Robert Armstrong and First Parliamentary Counsel. In the interests of economy, I am at this stage sending lists of proposed amendments only to those Ministers who are responsible for the offices in question.

*Your own
Dance*

BARONESS YOUNG

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.

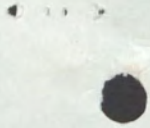
2. The Act does not specify principles to determine which offices should be disqualified. But the following criteria are known to the House and were used in preparing both the present Schedule and the proposed amendments to it. The presumption is that the House would want the office holder to be disqualified:

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 (administratively it has been the practice to disregard those which attract remuneration of less than £1000 pa);

b. 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 March 1982.

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, 1975 and 1982.



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JU
Secretary of State for Industry

DEPARTMENT OF INDUSTRY
ASHDOWN HOUSE
123 VICTORIA STREET
LONDON SW1E 6RB
TELEPHONE DIRECT LINE 01-2123301
SWITCHBOARD 01-212 7676

31 August 1982

R M Whalley Esq
Cabinet Office
70 Whitehall
London SW1A 2AS

Dear Mr Whalley

GOVERNMENT BILLS SUITABLE FOR OFFERING TO
PRIVATE MEMBERS IN THE 1982/83 PARLIAMENTARY
SESSION

In your letter of 1 July you asked for
suggestions on suitable Bills for offering to
Private Members.

The Department of Industry has no Bills which
might be suitable.

I am copying this letter to recipients of
yours.

Yours sincerely
David Saunders

DAVID SAUNDERS
Private Secretary

Mr Fletcher ParliamentCABINET OFFICE
70 WHITEHALL
LONDON SW1A 2AS*Mr Rickett*

XXXXXXXXXXXX

01-233 8595

20 July 1982

LEGISLATIVE PROGRAMME 1982-83

It may be helpful if I send you the enclosed list of the Bills in next Session's programme as it stands at present. The list is the same as that annexed to the Home Secretary's Cabinet paper C(82)22, with the addition of Data Protection (as agreed by the Cabinet) and (as a marker) of the National Voluntary Severance Scheme, and the deletion of Further Education (as agreed by the Home and Social Affairs Committee) and of National Savings (which the Treasury no longer wish to proceed with).

I am sending copies of this letter and its enclosure to Tim Flesher (Number 10), John Halliday (Home Office), Michael Pownall (Lord Privy Seal's Office), Murdo Maclean (Chief Whip's Office), George Engle (First Parliamentary Counsel) and Norman Adamson (Lord Advocate's Department).

(D H J HILARY)

D C R Heyhoe, Esq
Lord President's Office

Enc

LEGISLATIVE PROGRAMME 1982-83

L = suitable for introduction in the House of Lords.

Unless otherwise stated, Royal Assent is not required before the end of July.

ESSENTIAL

1. Mobile Homes (L) Department of the Environment. Instructions have been sent.
2. Water Department of the Environment. (Only the borrowing provisions are essential.) Half the instructions have been sent; the other half are expected in July.
3. International Carriage Bill (L) Department of Transport. Previously known as the Carriage by Railway Bill. Royal Assent highly desirable as soon as possible (though not essential until the end of 1983). May be suitable for Second Reading Committee in Commons. Instructions have been sent.

PROGRAMME

4. Agricultural Marketing (L) Ministry of Agriculture, Fisheries and Food. This will now be confined to setting up the new Central Marketing Organisation. Instructions have been sent.
5. Museums Etc (L) The Scottish elements have now been dropped, and the Bill will deal with:
 - (a) the Victoria and Albert and the Science Museums (Department of Education and Science);
 - (b) the Royal Botanic Gardens (Ministry of Agriculture, Fisheries and Food);
 - (c) ancient monuments and historic buildings (Department of the Environment);
 - (d) the Tower Armouries (Department of the Environment).

Royal Assent required by 1 April 1983 (because of the Civil Service savings), so introduction at the start of the Session essential; Ministers agreed that any provisions not drafted by the start of the Session should be omitted. All instructions have been sent.

6. Dock Work Regulation Department of Employment. Instructions have been sent.
7. Electricity and Nuclear Installations Department of Energy. Instructions have been sent on raising the limits of operators' liability under the Nuclear Installations Act 1965 and rationalising some of the electricity and nuclear industries' powers of entry. Instructions on the remaining provisions - to enable private concerns to supply electricity to others as a main business - are expected by the end of July.
8. Housing and Building Control Department of the Environment. Early Royal Assent desirable. Instructions on building control have arrived. Some instructions on housing are still awaited.
9. Commonwealth Development Corporation Foreign and Commonwealth Office. Target date for Royal Assent December 1982. Instructions have been sent.
10. Health and Social Services (L) Department of Health and Social Security. Instructions have been sent.
11. Social Security Department of Health and Social Security. This was to have consisted of the abolition of child dependency additions and the taking of 16 year olds out of Supplementary Benefit. The Lord President has written to the Secretary of State for Social Services about the future of this Bill, in the light of the Government's decision about the 16 year olds.
12. Police and Criminal Procedure Home Office. Instructions on police powers and procedures have been sent. Instructions on the remainder are still awaited.
13. Data Protection (L) Home Office. The Home Secretary, in his letter of 9 June to the Lord President, said that "officials are pressing on with the work, but the earliest that they can realistically hope to send instructions to Counsel is the end of July".
14. Telecommunications Department of Industry and Home Office. Instructions on the wireless telegraphy provisions have been sent from the Home Office. Instructions on competition and privatisation and the Telegraph Acts have been sent from the Department of Industry, who have still to send instructions on "miscellaneous" matters. The Cabinet agreed the Bill's inclusion in the programme on the basis that it would be ready for introduction at the start of the Session.

15. Shipbuilding Industry (Disposals) Department of Industry. Instructions have been sent.
16. Conwy Tunnel Welsh Office. Hybrid. The Secretary of State for Wales will let the Lord President know in the autumn whether he thinks that Second Reading in the Welsh Grand Committee would be appropriate. Instructions have been sent.
17. National Voluntary Severance Scheme Department of Transport. Legislation is needed to implement the announced decision to write down the NVSS debt of £22 million. The necessary provisions could be added to the Transport Finance Bill (number 24) if it materialises. Otherwise some other vehicle may have to be found. Instructions have been sent.

CONTINGENT

18. Agriculture (Levies on Livestock Producers) Ministry of Agriculture, Fisheries and Food. Could become essential either from developments on Newcastle Disease or from discussions with the National Farmers Union on animal health policy.
19. Milk Ministry of Agriculture, Fisheries and Food. Depends on the outcome of a European Court case.
20. Equal Pay Amendment Department of Employment. Depends on the outcome of a European Court case (now decided?).
21. European Communities (Portuguese and Spanish Accession) Foreign and Commonwealth Office. Depends on progress of accession negotiations.
22. Law of the Sea Convention Foreign and Commonwealth Office. Depends on progress on a Law of the Sea Convention being drafted by the UN Law of the Sea Conference.
23. Channel Link Department of Transport. Hybrid: passage would need an entire Session.
24. Transport Finance Department of Transport.

SECOND READING COMMITTEE

25. Plant Varieties and Seeds Act 1964 (Amendment) (L) Ministry of Agriculture, Fisheries and Food. Instructions have been sent.

26. Dental (L) Department of Health and Social Security. Instructions have been sent.
27. Civil Aviation (Eurocontrol) (L) Department of Trade. The Department said originally that the UK should ratify the Protocol by the target date of March 1983, which would mean Royal Assent before 28 February. Instructions have been sent.
28. Registration of Yachts (L) Department of Trade. Instructions have been sent.
29. Physical Protection of Nuclear Material (L) Home Office. Instructions have been sent.
30. Marriage (Invalids and Detained Persons) (L) Home Office and Department of Health and Social Security. Instructions are expected ~~by~~ the end of July. The Minister for Health wrote to the Lord President on 7 July explaining that there were two DHSS components: (a) on housebound invalids and (b) on detained patients. He said that he saw no difficulty about (a) and there was no reason why it should not be ready by October. He had to consult the medical profession about (b); he aimed to reach a decision in time to have (b) in the Bill as introduced and agreed that if that proved impossible the provision would have to be added in the Lords or not at all.
31. Rights of Reverter (L) Lord Chancellor's Department. The Lord Chancellor, in his letter of 28 May to the Lord President, said that he expected to be able to submit a paper to the Home and Social Affairs Committee in June to seek policy approval; and that instructions should be ready before the end of June. But it has been found necessary to conduct a further round of consultations in an effort to find an acceptable policy.
32. Currency and Banking (L) Treasury. Instructions have been sent.
33. Miscellaneous Financial Provisions (L) Treasury. Instructions have been sent.

SCOTTISH

34. Electricity (Financial Provisions) (Scotland) Suitable for Second Reading in the Scottish Grand Committee. The Secretary of State for Scotland envisages no difficulty about it being ready for Legislation Committee in October.

35. Mental Health (Scotland) (L) Suitable for Second Reading in the Scottish Grand Committee. Royal Assent required by the end of March 1983, to enable Civil Service savings to be obtained before 1 April. The Scottish Office originally estimated introduction in December. But the Secretary of State now hopes to introduce in November.

36. Divorce (Jurisdiction) and Legal Aid (Scotland) (L) Suitable for Second Reading in the Scottish Grand Committee. Royal Assent by end of financial year 1982-83 desirable. The Secretary of State envisages no difficulty about it being ready for Legislation Committee in October.

37. Agricultural Holdings (Scotland) (L) Suitable for Second Reading in the Scottish Grand Committee. The Secretary of State suggests that it may be tactically prudent not to introduce this at the start of the Session; but he will try to have it ready for Legislation Committee in October.

Cabinet Office

20 July 1982

12 DOWNING STREET,
S.W.1.

With

The Private Secretary's

Compliments

GOVERNMENT LEGISLATIONN
Parliament

- (i) Second Reading
 Aviation Security (L)
 Industrial Development (L)
 Insurance Companies (L)
- (ii) Report and Third Reading
 Administration of Justice (L)
 Civic Government (Scotland) (L)
 Duchy of Cornwall Management
 Legal Aid (L)
 Mental Health (Amendment) (L)

(iii) <u>Orders and Regulations</u>	<u>Date Laid</u>	<u>Whether Controversial</u>	<u>Date Required</u>
Benefits and Social Security (6)	8/7	Maybe	For debate, 20/7 and in w.c. 26/7
Child Benefit	29/6	Maybe	For debate, 20/7
*Companies	6/7	No	By summer recess
Family Income Supplements	29/6	Maybe	For debate, 20/7
Films	8/6	Yes	For debate, 21/7
Films (No 2)	7/7	Yes	A.s.a.p.
Homosexual Offences (N.I.)	14/7	Yes	A.s.a.p.
*Housing	6/7	Maybe	By summer recess
Motor Vehicles	23/6	No	No deadline
Northern Ireland Assembly	14/7	Maybe	By P.C. Mtg on 30/7
Nurses	8/7	No	By end of July
Pensioners' Lump Sum Payment	29/6	Maybe	For debate, 20/7
Planning (Amendment) (N.I.)	7/7	No	By summer recess
Report on RSG Reduction (Stirling District) 1982/83	5/7	Yes	For debate, 20/7
Seat Belts	13/7	Yes	For debate, 22/7
Shipbuilding (2)	2/7	No	By summer recess
Sites of Special Scientific Interest	5/7	No	By summer recess
Social Security Benefits	29/6	Maybe	For debate, 20/7
Valuation (Scotland)	6/7	Yes	By summer recess
Wages Councils (N.I.)	20/5	No	No deadline

Lords

Criminal Justice

Derelict Land

Employment

Finance

Local Government and Planning (Scotland)

Merchant Shipping (Liner Conferences)

Northern Ireland

Stock Transfer

Transport

∅ Consolidation

* S.I. Committee

Bills placed upon the Statute Book (28)

Agricultural Training Board 1982

Canada 1982

Civil Aviation 1982

Civil Aviation (Amendment) 1982

Civil Jurisdiction and Judgments 1982

Coal Industry 1982

Consolidated Fund (No 2) 1981

Consolidated Fund 1982

Currency 1982

Fire Service College Board (Abolition) 1982

Harbours (Scotland) 1982

Hops Marketing 1982

Housing (Amendment) (Scotland) 1981

Industrial Training 1982

Industry 1982

Iron and Steel 1982

Local Government Finance 1982

Local Government (Miscellaneous Provisions) 1982

New Towns 1982

Nuclear Industry (Finance) 1981

Oil and Gas (Enterprise) 1982

Reserve Forces 1982

Shipbuilding 1982

Social Security and Housing Benefits 1982

Social Security (Contributions) 1982

Taking of Hostages 1982

Transport (Finance) 1982

Travel Concessions (London) 1982



Margaret. 219

Box

For information

With the Compliments

of

NICHOLAS R. WINTERTON, M.P.
(Macclesfield)

ms

[Large handwritten signature]

01- 219 4402

HOUSE OF COMMONS
LONDON, SW1A 0AA

NICHOLAS R. WINTERTON, M.P.
(Macclesfield)



15th July 1982 NRW/cmh

Rt. Hon. Peter Walker MP
Secretary of State
Ministry of Agriculture, Fisheries and Food
Whitehall Place
LONDON SW1

If my memory serves me correctly, I have made representations to you before about the importance of introducing legislation in this Parliament and preferably in the Queen's Speech, to implement the recommendations of the NFU/CLA package relating to the succession of tenancies.

I consider this matter is of the utmost importance, and I am gravely concerned at the damage which is being done to the structure of farming and to urban communities by the tenancy legislation as it currently stands following the Labour Government's new clause introduced during the passage of the 1976 Agriculture (Miscellaneous Provisions) Act. There is no doubt that a unique opportunity currently presents itself for changes to the existing legislation which will have the overwhelming support of land owners and farmers. While I accept there may be very limited opposition, the support for the NFU/CLA package is overwhelming, and I do not believe at any other time will such an opportunity occur for us to improve the succession of tenancy situation on a permanent basis.

I urge you to press the Prime Minister and the Cabinet to include the necessary legislation in the Queen's Speech for the next Session of Parliament. I hope you do not think it discourteous of me if I send a copy of this letter to the Prime Minister.

010

Prime minister 2



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15/3

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

13th July, 1982.

mf

Dear Willie,

LEGISLATIVE PROGRAMME

I undertook yesterday to let you have a note about the priority which has been given in the House of Lords legislative programme to the Employment and Northern Ireland Bills.

The Lord Privy Seal had always expected the Northern Ireland Bill to take far less time in the Lords than in the Commons because only a very few amendments are expected at Committee stage. In these circumstances it has been possible through agreement with the other Parties to expedite the later stages of the Bill on the floor of the House. This is in stark contrast to the Employment Bill where no such agreement would be contemplated by the Opposition and on which the House is likely today to have its first all night sitting since March 1980.

No stages of the Northern Ireland Bill will have been advanced at the expense of the Employment Bill. As soon as the guillotine for the Northern Ireland Bill was made known in the Commons, Second Reading was planned in the Lords for Thursday, 8th July in place of the second Committee day of the Transport Bill. The remaining stages of the Northern Ireland Bill will be taken next week during the necessary interval between Committee and Report of the Employment Bill. Indeed, the Report and Third Reading of the Employment Bill will not be delayed by any of the outstanding Bills in the Lords, with the possible exception of the Finance Bill which has a statutory deadline of early August and which will only take one day in this House.

In fact
the House
rose at
about 5 am
(last Tuesday)

Yours ever
Michael Pownall

(M. POWNALL)

W. Rickett, Esq.,
10, Downing Street,
London, S.W.1.



CABINET OFFICE

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

1 July 1982

Dear Private Secretary

GOVERNMENT BILLS SUITABLE FOR OFFERING TO PRIVATE
MEMBERS IN 1982/83 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 three Bills which were included in Departments' bids for the legislative programme 1982/83 and thought suitable for this procedure and which have not otherwise found a place in the programme. We should be grateful to know from the responsible Departments 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 obtained; 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 Lord President of the Council 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 3 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 (Lord President's Office), Murdo Maclean (Chief Whip's Office), Brian Shillito (Office of the First Parliamentary Counsel) and Michael Pownall (Lord Privy Seal's Office).

Yours sincerely

RM Whalley
R M WHALLEY

Enc

RESTRICTED

SESSION 1982/83

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

Department

Title

Home Office

Firearms

Trade

Hotel Proprietors' Act
(Amendment)

Scottish Office

Prescription and Limitation
of Actions (Scotland)
(Amendment)

RESTRICTED

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30 JUN 1962

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QUEEN ANNE'S GATE LONDON SW1H 9AT

29 June 1982

wh
30/6

Dear Peter

LEGISLATIVE PROGRAMME 1982-83

AGRICULTURAL MARKETING BILL: MINOR ITEMS

will request if required

Thank you for your letter of 17 June in which you propose that the Agricultural Marketing Bill for 1982-3 should be confined solely to provisions setting up the new Central Marketing Organisation, and should not include either provisions on four additional marketing measures or the provisions on milk pasteurisation grants which were included in the Bill approved by the Cabinet.

I have now seen Nicholas Ridley's letter of 24 June in which he says that he is reluctantly prepared to agree that the provisions on milk pasteurisation grants should not be included in the Bill.

will request if required

Subject to any further comments our QL colleagues might make (I suggest by close of play on Friday, 2 July) you may take it that you have the approval of QL for what you propose. As the proposals on milk pasteurisation were included in the Bill whose place in the programme was approved by the Cabinet at their meeting on 13 May, I am also copying this letter to other members of the Cabinet for information, as well as to members of QL and Sir Robert Armstrong.

Mason
L.M.

The Rt. Hon. Peter Walker, MBE. MP.

ow
●

12 DOWNING STREET,
S.W.1.

With

The Private Secretary's

Compliments

GOVERNMENT LEGISLATION

- (i) Second Reading
Administration of Justice (L)
Duchy of Cornwall Management
ØIron and Steel (L)
- (ii) Standing Committee
Civic Government (Scotland) (L)
Finance
Legal Aid (L)
- (iii) Special Standing Committee
Mental Health (Amendment) (L)
- (iv) Report and Third Reading
Northern Ireland
- (v) Lords Amendments
Local Government Finance (No 2)
Local Government (Misc.Prov.)

(vi) <u>Orders and Regulations</u>	<u>Date Laid</u>	<u>Whether Controversial</u>	<u>Date Required</u>
African Development Fund	21/6	No	By 30/7
Agriculture Act 1970	21/5	No	By summer recess
Agricultural Marketing (N.I.)	17/6	No	By summer recess
Appropriation (No 2) (N.I.)	21/6	No	By P.C. Mtg on 30/7
Building Societies	22/6	No	By summer recess
Coal Industry	18/6	No	By 5/7
Excise Duties	8/6	Maybe	By summer recess
Films	8/6	Yes	By 16/7
Funds for Trade Union Ballots	14/6	No	By 6/7
Industrial Development Board (N.I.)	17/6	No	By mid-July
International Fund	21/6	No	By 30/7
Motor Vehicles	23/6	No	No deadline
N.I. Act 1974	8/6	Yes	For debate, 30/6
N.I. (Emergency Provisions)	8/6	Yes	For debate, 30/6
Pool Competitions	17/5	No	By 26/7
Town and Country Planning	15/6	No	By summer recess
Town and Country Planning (Scotland)	16/6	No	By summer recess
Wages Councils (N.I.)	20/5	No	No deadline

Lords

∅Aviation Security (L)

Civil Jurisdiction and Judgements (L)

Criminal Justice

Derelict Land

Employment

∅Industrial Development (L)

∅Insurance Companies (L)

Local Government and Planning (Scotland)

Merchant Shipping (Liner Conferences)

Stock Transfer

Taking of Hostages (L)

Transport

Awaiting Royal Assent

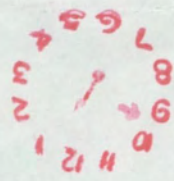
Oil and Gas (Enterprise)

Social Security and Housing Benefits

∅ Consolidation

Bills placed upon the Statute Book (21)

Agricultural Training Board 1982
Canada 1982
Civil Aviation 1982
Civil Aviation (Amendment) 1982
Coal Industry 1982
Consolidated Fund (No 2) 1981
Consolidated Fund 1982
Currency 1982
Fire Service College Board (Abolition) 1982
Harbours (Scotland) 1982
Hops Marketing 1982
Housing (Amendment) (Scotland) 1981
Industrial Training 1982
Industry 1982
New Towns 1982
Nuclear Industry (Finance) 1981
Reserve Forces 1982
Shipbuilding 1982
Social Security (Contributions) 1982
Transport (Finance) 1982
Travel Concessions (London) 1982



25 JUN 1982



MINISTRY OF AGRICULTURE
FISHERIES AND FOOD

As requested.

WITH THE COMPLIMENTS
OF
THE PRIVATE SECRETARY



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

From the Minister

CONFIDENTIAL

The Rt Hon William Whitelaw CH MC MP
Secretary of State for the Home Department
Home Office
50 Queen Anne's Gate
London SW1H 9AT

17 June 1982

LEGISLATIVE PROGRAMME 1982-83

AGRICULTURAL MARKETING BILL: MINOR ITEMS

In your letter to me of 3 April you told me that QL accepted the case which I had made for a short Bill to deal with agricultural marketing and, as you know, the Cabinet subsequently endorsed this recommendation.

You also said that such a Bill should regularise the payment of grants for milk pasteurisation about which Nicholas Ridley wrote to you on 23 March. In my reply I said that I would see no objection to including such provisions provided the experts are satisfied that this would not open the door to amendments dealing with land tenure but that I would not agree that such legislation should be given priority over agricultural marketing.

The main provision in the Agricultural Marketing Bill will be my proposals for establishing a central body, "Food from Britain", to co-ordinate and promote better marketing of British food for which I have received the agreement of Leon Brittan and E(EA) colleagues.

In addition I had also been contemplating adding four other minor marketing measures which in various degrees would have complemented and supported the main provisions of the Bill. These were the extension of the Agricultural Credit Corporation loan guarantee scheme to "second tier" co-operatives; a reduction of the number

/of Council Members ...

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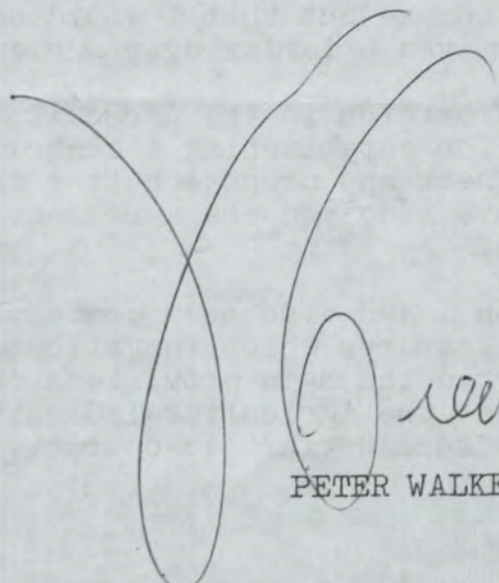
CONFIDENTIAL

of Council Members of the Home Grown Cereals Authority in order to release financial resources for other marketing measures; clarifications and minor extension of existing exemptions to Restrictive Trade Practices legislation as it applies to co-operatives; and a minor extension of the powers of Government Horticultural Inspectors to enable them to enforce horticultural standards more effectively. Together with the measure on milk pasteurisation grants this would have roughly doubled the length of the Bill.

All these are desirable but not essential measures which it would be logical to put into this Bill. However, to do so would not only lengthen the Bill but widen its scope significantly. The advice of my legal advisers is that if the Bill is widened beyond the single purpose of providing for the central marketing a significant risk would be created, especially in the House of Lords where the rules of procedure are looser, of opening the way for amendments on land tenure.

In view of this I have reluctantly concluded, and seek the agreement of my colleagues, that we should confine the Bill to the provisions setting up the new Central Marketing Organisation. I do recognise the arguments of financial propriety for including the milk pasteurisation grants, but I am advised that this particular item does most to widen the scope of the Bill and, since these grants in any case come to an end in Scotland on 31 July 1983 and in England and Wales on 31 March 1984, I think in practice the risk of criticism for not using this opportunity to cease relying on the Appropriation Act is small. I hope therefore that Nicholas Ridley will accept that we should drop this item also.

I am sending copies of this letter to the other Members of QL, Nicholas Ridley and Sir Robert Armstrong.



PETER WALKER

CONFIDENTIAL



Caxton House Tothill Street London SW1H 9NAF

Telephone Direct Line 01-213 6400

Switchboard 01-213 3000

Rt Hon W John Biffen MP
 Lord President of the Council
 Privy Council Office
 68 Whitehall
 LONDON SW1

16 June 1982

R John

LEGISLATIVE PROGRAMME

Your letter of 27 May about the congestion of business in the House of Lords asked for an assessment of the extent and likely difficulty of amendments to the Employment Bill.

There are three issues on which I envisage a need to introduce Lords amendments. The first arises from a recent Scottish judgement as a result of which factory sit-ins may be held to be lawful (at least in Scotland). My present view is that an amendment to the law on immunities probably is needed to counteract this danger but my officials are still discussing the matter with the other departments concerned. The other 2 issues concern the apparent efforts of certain Labour-controlled local authorities to circumvent the provisions of the Bill which deal with the closed shop and trade union labour only requirements in commercial contracts. I am afraid that all three amendments are likely to encounter considerable opposition in the Lords and may of course provide the occasion for the Opposition to re-open the debate on each of these subjects when the Bill returns to the Commons.

I hope that it will not be necessary to consider delaying the Bill's return to the Commons until the spill-over. Our supporters are naturally anxious that the Bill should reach the Statute Book as soon as possible; and it has already been suggested by some of our opponents that we are in no great hurry to implement many of the provisions because we recognise the difficulties they may cause. This of course is nonsense; but it would be a pity if we appeared to give any credence to these suggestions and either our opponents or our supporters were to feel that impetus was being lost. Instead the Bill should be one of the centre pieces of the Party Conference.

Far more important, we would be open to considerable criticism if during the summer industrial problems arose and the Bill would have helped in their resolution. For example, now that the Scottish Courts appear to have given legal protection to sit-ins I believe we must put the law right without delay or risk some very awkward

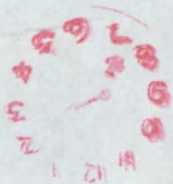


situations north of the Border.

Lastly I do feel that it is far better from the House of Commons point of view that the highly controversial amendments (and in particular the amendment on sit-ins) which are to be moved in the Lords should be dealt with before the recess, but no doubt the Chief Whip will have something to say about that.

I am copying this letter to the recipients of yours.

J. M. Norman



16 JUN 1982

Prime Minister 2

wh
1/6

PRIVY COUNCIL OFFICE

WHITEHALL, LONDON SW1A 2AI

27 May 1982

mf

Dear Willie,

LEGISLATIVE PROGRAMME

I have recently reviewed with the other business managers the prospects for the bills in this Session's legislative programme which have yet to receive Royal Assent.

Our present judgement is that it should be possible to dispose of the four outstanding bills (Oil and Gas Enterprise, Local Government Finance, Social Security and Housing Benefits, and Local Government and Planning (Scotland)) which need early Royal Assent before the Summer Adjournment. The Lords programme is, however, becoming increasingly difficult to manage, largely because of the need to find time for debates on the Falkland Islands crisis, and it now seems unlikely that the Employment, Transport and Criminal Justice Bills can all be dealt with in time to receive Royal Assent by the end of July. Depending on the rate of progress over the next two months, the passage of one or possibly two of these three Bills will probably have to be completed during the spillover.

We shall, of course, do all we can to ensure that there is no avoidable delay in dealing with these three Bills, but I thought that you and Norman Tebbit and David Howell (to whom I am copying this letter) would want to be aware of the position in which we find ourselves.

.../...

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

CONFIDENTIAL

CONFIDENTIAL

An important factor in managing the remainder of this Session's programme will be the number and controversiality of Lords Amendments to the major outstanding Bills to be considered by the Commons. I should be very grateful if you could let me have your assessment of the extent and likely difficulty of the amendments so far made, or likely to be made, to the Criminal Justice and Local Government (Miscellaneous Provisions) Bills, and if Norman and David could provide similar information about their Bills.

I am copying this letter, for information, to other members of the Cabinet, to Michael Jopling, and to First Parliamentary Counsel and Sir Robert Armstrong.

7

John Biffen

JOHN BIFFEN

Parliament

PARLIAMENTARY AFFAIRS

The provisional business does not allow for the debate on the Community to which we are now committed and the debate on the Falklands which may become inevitable. Wednesday has now been revised! MA 20/1

There were hopes that the Opposition might be persuaded to take Europe on the Supply Day, but they have now opted for half-day debates on the NHS pay issues and on the British Rail Engineering workshops closures. The Lord President and the Chief Whip will therefore want to raise the question whether the Supply Day should be set aside, so that they can meet the formal request now made by the Opposition for a debate on the Community issue in Government time. Alternatively, they will want to know whether colleagues believe that the Community debate can be held over until after the recess.

After consulting Mr. Silkin, the Lord President has decided to propose a Whitsun adjournment which would include Monday 7 June. In announcing it, he will want to make clear that the Government will be ready to curtail the recess, or to bring the House back during it, if developments over the Falklands make this necessary.

There is also a slight risk that the return of the House on 8 June, the day of President Reagan's address, might be misinterpreted.

MA

19 May 1982



10 DOWNING STREET

From the Private Secretary

12 May, 1982

CIVIL AVIATION (EUROCONTROL) (AMENDMENT)

BILL

The Prime Minister has seen the Secretary of State for Trade's minute of 30 April, in which he seeks authority for the preparation of the above bill.

The Prime Minister is content that drafting should proceed.

I am sending copies of this letter to David Heyhoe (Lord President's Office) and David Wright (Cabinet Office).

M. A. PATTISON

J Rhodes, Esq
Department of Trade

256

PRIME MINISTER

PARLIAMENTARY AFFAIRS

Cabinet is taking a second look at next Session's legislative programme later on the Agenda. On the day when the House is taking its fifth debate on the Falklands, it could be useful to invite the Lord President and the Chief Whip to comment on how they see the rest of this Session, in the light of the time which has had to be taken for Falkland Islands matters. A brief discussion on this point might just help to concentrate minds for the later item.

I know that Lady Young is increasingly concerned about delays in getting business to the Lords. (For the first time, the Lords will not be holding a parallel debate on the Falklands tomorrow.) She will be seeking an opportunity to underline the problems she will have in the Lords for the rest of the Session. *She will also mention a defeat this week in the Lords on Gas Showrooms.*

MD

12 May 1982

CONFIDENTIAL

PRIME MINISTER

Legislative Programme 1982-83

BACKGROUND

On 22 April, the Cabinet invited the Home Secretary to arrange for QL to review their proposals for the legislative programme for 1982-83 in the light of the points made in discussion. The Home Secretary's memorandum (C(82) 22) reports the outcome. The Committee's revised proposals are set out in full in the Annexes to the memorandum, but the changes which they have made to the recommendations already considered by the Cabinet are as follows:-

- (i) The Data Protection Bill should be dropped from the programme.
- (ii) The Gas Safety Bill should be deleted, on the assumption that its substance can almost certainly be covered by regulations under the Health and Safety at Work Act.
- (iii) The Dock Work Regulation Bill's inclusion may have to be reconsidered later in the light of the industrial action threatened by the Transport and General Workers' Union in support of the extension of the dock labour scheme.
- (iv) The Further Education Bill, whose proposed provisions are in dispute between the Secretary of State for Education and Science and the Chief Secretary, should be dropped unless agreement on the policy is reached at the next meeting of H Committee (now arranged for Monday, 17th May).
- (v) The place in the programme of the Telecommunications Bill should be conditional on its being ready for introduction at the beginning of the Session.
- (vi) The Secretary of State for the Environment's offer to give up those provisions of his Housing and Building Control Bill which deal with the assignment of mortgages, housing association rent phasing arrangements and minor changes in housing law should be accepted, but the Bill should not (as he also suggested) be combined with his Mobile Homes Bill.

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CONFIDENTIAL

- (vii) Subject to (vi), room should be found for the broader Water Bill favoured by the Secretary of State for the Environment.
- (viii) The Agricultural Holdings (Scotland) Bill should be added to the programme (the Minister of Agriculture will accept this, provided that no announcement is made in advance of The Queen's Speech).
- (ix) The withdrawal of supplementary benefit from 16 year olds, and the abolition of child dependency additions, should be dealt with in a separate Social Security Bill, rather than added to the uncontroversial Health and Social Services Bill as provisionally agreed by the Cabinet.
- (x) The decision, already announced, to write down the National Voluntary Severance Scheme (NVSS) debt should be implemented if possible by the addition of provisions to the contingent Bill on transport finance which the Secretary of State for Transport expects to have to bring forward next Session.
- (xi) The Royal Ordnance Factories Bill should not be included unless further legislative time unexpectedly becomes available.

HANDLING

2. After the Home Secretary has introduced his memorandum, you may wish the Cabinet to look first at the various options identified by QL for making further room in the programme before considering possible additions to it. The most important of the deletions firmly proposed is that of the Data Protection Bill. The Home Secretary sees extreme difficulties in having the Bill ready for Second Reading before Christmas, and thinks that it will provoke such controversy that its passage by the Summer Recess of next year must be regarded as highly doubtful. The Secretaries of State for Trade and for Industry and the Head of the Central Policy Review Staff tend to discount these difficulties, and fear that, unless we are seen to be taking early action to enable us to ratify the Council of Europe Convention on Data Protection, there will be a significant loss of business to United Kingdom providers and users of data processing services. It has not

CONFIDENTIAL


been argued outside that legislation is not required: the criticisms of the Home Office proposals have all been on the lines of "too little and too late". You and other Ministers have gone on record as saying that the need for legislation is urgent and hoping that it will come forward in the 1982-83 Session (e.g. you to Mr. Meacher on 9th February). The business managers will wish to comment on the Parliamentary implications of introducing a major controversial Bill just before or just after Christmas (it should be possible for the Bill to be ready by then) with a requirement to get it through by July. It may be suggested that the Bill should start in the Lords, so as to enable the Parliamentary reaction to be tested, and to circumvent the risk of the Bill becoming a victim of end of Session congestion in that House; but would it be damaging for the Government to introduce this Bill and fail to carry it? It is not essential for the Cabinet to take a final decision on the Bill now: the Home Secretary's earlier memorandum (C(82) 10) suggested that the decision should be taken later, in the light of reactions to the White Paper.

3. The Secretary of State for Energy can say whether he is content for the Gas Safety Bill to be dropped at this stage. He may say that he is still awaiting the recommendations of the interdepartmental working party on the feasibility of covering the position by regulations. In that event, the Bill should remain in the programme for the moment, though the Secretary of State might be asked to ensure that an early decision is reached.

4. The Secretary of State for Employment can give his assessment of how provocative the Dock Work Regulation Bill will be in the current state of industrial relations in the docks. Would it be seen as going back on his recent commitment to consider proposed extensions of the dock labour scheme on their merits on a case by case basis? When does the Secretary of State expect to be able to make a firm recommendation on whether or not to proceed with the Bill?

5. The Secretaries of State for Education and Science and for Industry can say whether they are content for the Further Education and Telecommunications Bills respectively to be given conditional places in the programme.

*Home Office
HSE
Policy not agreed MB*



CONFIDENTIAL

6. The Secretary of State for the Environment can then confirm that he is content with the position reached on his Water, Mobile Homes and Housing and Building Control Bills (he has expressed doubt in correspondence about the suitability of the Mobile Homes Bill for Lords introduction; it will be for Legislation Committee to take a final view on this when the Bill has been drafted).

7. In the light of the agreement reached between the Minister of Agriculture and the Secretary of State for Scotland, the Cabinet will no doubt endorse the recommended addition of the Agricultural Holdings (Scotland) Bill to the programme.

8. The Secretaries of State for Social Services and for Employment can say whether they have any objection to dealing with the proposed benefit changes in a short separate Bill. QL felt that the presentational arguments for adding these provisions to the Health and Social Services Bill were not strong enough to justify changing its character from that of a generally uncontroversial measure suitable for Lords introduction.

9. The Cabinet can do no more on the NVSS debt than to note that there is a commitment to write off the debt, and that if the Transport Finance Bill is not brought forward an alternative legislative vehicle will have to be found.

10. The Royal Ordnance Factories Bill would achieve a paper saving of 20,000 civil servants (whether or not an immediate buyer was forthcoming) by converting the Factories into a Companies Act company, but QL felt that this was not enough to secure it a place in the programme against competition from other Bills. The Secretary of State for Defence can say whether he can go along with the reserve status now proposed.

CONCLUSIONS

11. Subject to the course of the discussion, you will wish to guide the Cabinet to approve the programme set out in the Annexes to C(82) 22 (subject to the uncertainties to which the Home Secretary's memorandum refers); and to endorse the point made by the Home Secretary during the Cabinet's last discussion of the proposed programme about the need for Departments to adhere strictly to the stated timetable for the preparation of their Bills.

RA

Robert Armstrong

12th May 1982

Legislation: LALink 109



Parliament

Ref. A08375

MR PATTISON

MR

Civil Aviation (Eurocontrol) (Amendment) Bill

In your minute of 5th May to me, you asked whether we were aware of any Ministerial objections to the proposal made by the Secretary of State for Trade in his minute of 30th April to the Prime Minister. This is to confirm that we are not aware of any such objections.

D J WRIGHT

11th May 1982



CONFIDENTIAL

Qa 05919

To: PRIME MINISTER

10 May 1982

From: JOHN SPARROW

Legislative Programme 1982/83

1. I see that the Home Secretary's paper, C(82)22, of 10 May includes a recommendation that the Data Protection Bill should not be included in the programme of proposed legislation. I appreciate the very real risks of controversy and delay which will be incurred whenever legislation on data protection is introduced.

2. However, you should be aware that the industrial and commercial arguments for going ahead in the next Session are very strong. Other countries either have legislation in force or are moving towards it and, unless we keep up, they will be able to erect non-tariff barriers by legal means against the flow of information to and from this country. That would be a damaging state of affairs.

3. I am sending a copy of this minute to Sir Robert Armstrong.

Handwritten mark resembling a stylized 'P' or 'B' with a dot.

CONFIDENTIAL

File

280

MR. WRIGHT

CABINET OFFICE

CIVIL AVIATION (EUROCONTROL) (AMENDMENT) BILL

You will have seen the Secretary of State for Trade's minute of 30 April, seeking policy clearance for the above Bill, to enable drafting to be put in hand quickly.

OK / Can you confirm that you are not aware of any Ministerial objections to Lord Cockfield's proposal?

M. A. PATTISON

5 May 1982

4



Prime Minister

Agree that drafting should go ahead? No objections have been raised?

Yes Mr.

M.P. 11/11.

PRIME MINISTER

CIVIL AVIATION (EUROCONTROL) (AMENDMENT) BILL

I am writing to you in your capacity as Chairman of OD Committee.

Willie Whitelaw wrote to me on 3 April confirming that the Queen's Speeches and Future Legislation Committee had agreed that the Civil Aviation (Eurocontrol) (Amendment) Bill should be included in the legislation programme they will be recommending to the Cabinet for the 1982/83 session and that this Bill should be taken under the Second Reading Committee procedure. The Bill was duly included in Annex C of C(82)10.

The purpose of the Bill is to give effect in UK law both to the Eurocontrol International Convention relating to Co-operation for the Safety of Air Navigation as amended by a Protocol which was signed by the UK and 7 other European states in February 1981, and also to the Multilateral Agreement relating to Route Charges signed at the same time. The Bill is necessary to enable the UK to ratify both the amended Protocol and Multilateral Agreement which should come into force on 1 March 1983. The 8 signatories of the Protocol are Belgium, France, Germany, Holland, Ireland, Luxembourg, Portugal and the United Kingdom. The Multilateral Agreement has been signed by these states and Austria, Spain and Switzerland.

The functions of the European Organisation for the Safety of Air Navigation (Eurocontrol) are altered by the amending Protocol so as to reflect the way in which they have developed since the Organisation's inception in 1963. The Multilateral Agreement signed by the 11 contracting states facilitates the adoption of a common policy in respect of charges for en route air navigation facilities and services. A particular benefit to the UK is that in the financial settlement under the revised arrangements, we will receive £4m (a figure which decreases the longer we delay ratification of the amended Protocol).

I should therefore be grateful for your agreement to the preparation of the Bill as soon as possible, as the amount of time available for drafting Bills in the Second



Reading Committee list is limited.

I am sending copies of this minute to the other members of OD, the Lord President of the Council and to Sir Robert Armstrong.

Arthur Cockfield

LORD COCKFIELD

Department of Trade
30 April 1982

Parliament
KW
23w

GOVERNMENT LEGISLATION

- (i) Second Reading
 Civic Government (Scotland) (L)
 Civil Aviation (L)
 Derelict Land
 Legal Aid (L)
 Merchant Shipping (Liner Conferences)
 Northern Ireland
 Taking of Hostages (L)
- (ii) Standing Committee
 Employment
 Finance
 Industry
 Transport
- (iii) Committee of Whole House
 Finance
- (iv) Special Standing Committee
 Mental Health (Amendment) (L)
- (v) Report and Third Reading
 Civil Jurisdiction and Judgments (L)
 Criminal Justice
 Harbours (Scotland) (L)
 Local Government and Planning (Scotland)
- (vi) Orders and Regulations
- | | <u>Date Laid</u> | <u>Whether Controversial</u> | <u>Date Required</u> |
|---|------------------|------------------------------|----------------------|
| Criminal Evidence (N.I.) | 8/2 | No | No deadline |
| Electricity (Borrowing Powers) (Scotland) | 8/4 | No | A.S.A.P. |
| *Fish Producers' Organisations | 1/4 | No | By 20/5 |
| Hovercraft | 20/4 | No | By 10/5 |
| Land Compensation (N.I.) | 26/1 | No | No deadline |
| *Motor Vehicles | 10/12 | No | No deadline |
| Probation Board (N.I.) | 22/4 | No | By P.C. Mtg on 18/5 |
| Town and Country Planning | 19/4 | No | A.S.A.P. after 6/5 |
| Town and Country Planning (Scotland) | 19/4 | No | A.S.A.P. after 6/5 |
| VAT (Finance) | 31/3 | No | For debate, 28/4 |

Lords

Administration of Justice (L)

Ø Iron and Steel (L)

Local Government Finance (No 2)

Local Government (Misc.Prov.)

Oil and Gas (Enterprise)

Social Security and Housing Benefits

Stock Transfer

Ø Consolidation

* S.I. Committee

Bills placed upon the Statute Book (18)

Agricultural Training Board 1982

Canada 1982

Civil Aviation (Amendment) 1982

Coal Industry 1982

Consolidated Fund (No 2) 1981

Consolidated Fund 1982

Currency 1982

Fire Service College Board (Abolition) 1982

Hops Marketing 1982

Housing (Amendment) (Scotland) 1981

Industrial Training 1982

New Towns 1982

Nuclear Industry (Finance) 1981

Reserve Forces 1982

Shipbuilding 1982

Social Security (Contributions) 1982

Transport (Finance) 1982

Travel Concessions (London) 1982

CONFIDENTIAL

PRIME MINISTERLegislative Programme 1982-83
(C(82) 10 and 11)

BACKGROUND

The Queen's Speeches and Future Legislation Committee (QL) have now completed their consideration of the 80 proposals put forward by Departments for Bills for next Session's Legislative Programme. QL's recommendations are summarised in the Annexes to the Home Secretary's main memorandum (C(82) 10), and further details are given in this supplementary note (C(82) 11). The Committee worked on the basis that the Programme should be capable of being completed comfortably by the Summer Recess of 1983 (so as to leave open the option of a General Election in the autumn of that year); should further the Government's main strategic objectives while at the same time having a substantial social content; should contain only those Bills which could confidently be expected to be ready by the beginning of the Session, or, exceptionally, by the end of November at the latest; and should include a good stock of Bills suitable for Lords introduction. Against this background, QL propose that there should be a main programme of 17 Bills, together with 3 Scottish Bills (all suitable for Second Reading in Scottish Grand Committee), and 10 Bills to be brought forward only if they are ready by the beginning of the Session and then prove acceptable to the Opposition for taking under the Second Reading Committee procedure. The Committee have noted that up to 6 further Bills might become essential in certain circumstances, and that there is a possibility of additional legislation being proposed on rating reform and public transport finance. As in previous years, QL have not included Finance and Consolidation Bills in their reckoning.

2. You discussed the general approach to next Session's programme with the Home Secretary, the Leaders of both Houses, and the Chief Whip on 11th March.

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HANDLING

3. You will want the Home Secretary to introduce his two memoranda. The Lord President, the Lord Privy Seal and the Chief Whip may then wish to give their assessment of the various factors affecting the management of the programme next Session. The Chancellor of the Duchy of Lancaster and Paymaster General may like to comment on the importance for opinion among Government supporters outside Parliament of this last full Session's legislative programme before the Election.

4. Before looking at individual Bills, you may wish the Cabinet to consider the overall size and balance of the proposed programme. Do they agree that 17 Bills is about right for the main programme? If so, it follows that there is little or no scope for net additions to it. Does it strike the right balance between carrying forward the Government's main strategies, and avoiding a degree of controversy which would put unacceptable demands on Government supporters in both Houses and consequently jeopardise its successful completion by the end of July 1983?

5. It may not be practicable or necessary to bring forward some of the measures recommended by QL. The Secretary of State for Energy can say whether subordinate legislation under the Health and Safety at Work Act might (as has been suggested) be substituted for the Gas Safety Bill, as a necessary preliminary to the disposal of the gas appliance retailing interests of the British Gas Corporation. The Home Secretary can assess the prospects for data protection legislation next Session in the light of the initial reactions to the White Paper. The Secretary of State for Education and Science is still in consultation with the Chief Secretary, on the financial implications of certain disputed provisions of the proposed Further Education Bill. Conversely, the Secretary of State for the Environment can assess the likelihood of primary legislation being required on rates. A memorandum by the Secretary of State for Transport, recommending legislation next Session on London Transport finance, is to be considered by E Committee immediately after Cabinet.

Hostile
Press
Reaction

CONFIDENTIAL

6. You may next wish to invite any comments on omissions from the proposed programme. The items most likely to be pressed are -

(a) Water.

QL agreed that legislation to raise the borrowing limits of the water authorities was essential, but did not feel that the inclusion of the wider (and highly controversial) proposals on the reorganisation of the water industry should be given preference over the other competing claims for legislative time next Session. The Secretary of State for the Environment has argued that there is a clear commitment to legislation in this area, that his proposals would be an important step forward in promoting efficiency and competitiveness in the public sector, and that they would reduce the number of quangos.

(b) Royal Ordnance Factories.

E(DL) recognised on 18th March that progress could be made on the reorganisation of the ROFs without legislation, but the Secretary of State for Defence argues that early legislation to create a Companies Act company for the Factories would be a valuable stimulus, particularly in securing a new top management with a more commercial approach.

(c) Social Science Research Council (SSRC) (Abolition).

The Secretary of State for Education and Science may argue that space should be left for a Bill to abolish or reform the SSRC if Lord Rothschild so recommends. It is not yet clear when the report of the Rothschild Inquiry will be published, or whether it will propose changes requiring primary legislation; I gather that Lord Rothschild is not likely to propose abolition. QL thought that consultations on the report could not possibly be completed in time for legislation to be ready early enough in the Session.

(d) Student Loans.

QL considered that a Bill providing for loans to students as an alternative to grants would add excessively to the controversy surrounding an already contentious proposed programme; they also noted that no

*See the Chancellor's
minute below.
The Policy Unit
strongly support
his view.*

MAD

CONFIDENTIAL

policy agreement had yet been reached on this subject. The Secretary of State for Education and Science has asked that "the possibility of legislating may be kept alive".

← (e) Health and Social Services (Miscellaneous Provisions).

The Social Services Secretary, with the support of the Secretary of State for Employment, is likely to argue that this Bill should include provisions to withdraw entitlement to supplementary benefit from 16 year olds, and to abolish the child dependency additions to short-term benefits. He will say that the former measure, which was announced in the White Paper "A New Training Initiative", is an integral part of the new youth training scheme, and that both measures are designed to produce public expenditure savings which have been taken into account in the Public Expenditure White Paper. QL feared that the addition of these provisions would convert an unexceptionable piece of social legislation, much of which is likely to command all-Party support, into a contentious Bill which would no longer be suitable for Lords introduction. If the Cabinet decide that legislation on benefits next Session is essential, it is for consideration whether a short separate Bill would be preferable. There would then be no risk of damaging the presentational impact of the Health and Social Services (Miscellaneous Provisions) Bill; and it is desirable to keep this Bill in a form in which it can be introduced in the Lords.

(f) Agricultural Holdings (Amendment) (Scotland).

QL decided not to recommend inclusion of this Bill in the programme, on the grounds that it would lead to pressure, which the Minister of Agriculture and other Ministers are most anxious to avoid, for legislation on agricultural tenure in England and Wales. The Secretary of State for Scotland puts the Bill second in his order of priorities for next Session, doubts whether it would have repercussions of the kind feared by QL, and argues that there should be room for it, since the 3 Scottish Bills recommended by QL are relatively short compared with this Session's Civic Government (Scotland) and Local

CONFIDENTIAL

Government and Planning (Scotland) Bills. (If the Cabinet decide not to include the Agricultural Holdings Bill, and the Secretary of State for Scotland considers the Scottish programme too light, he might wish to add instead a short Police (Scotland) Bill, which he suggested in his original recommendations to QL.)

7. Finally, the Cabinet might approve the list of Second Reading Committee Bills in Annex C of C(82) 10. The Secretary of State for Trade may press for the Civil Aviation (Eurocontrol) (Amendment) Bill and the Registration of Yachts Bill to be introduced whether or not the Opposition agree to their being taken under the Second Reading Committee procedure. If he does, a compromise might be to introduce them in the Lords without preliminary soundings being taken of the Opposition, and for the business managers to use their best endeavours to get them through the Commons even if the Second Reading Committee procedure cannot be used.

CONCLUSIONS

8. Subject to any points made in discussion, you will wish to guide the Cabinet:-

- (a) to approve the recommended Legislative Programme for 1982-83 as set out in the Annexes to C(82) 10, with or without modification;
- (b) to invite all Ministers concerned to take careful note of the points made on the timetable for the preparation of legislation in paragraph 7 of C(82) 10, and to inform the Lord President immediately of any difficulties.

RIA

Robert Armstrong

21st April 1982

Prime Minister

Treasury Chambers, Parliament Street, SW1P 3AG
01-233 3000

PRIME MINISTER

LEGISLATIVE PROGRAMME 1982-83

I have seen the Home Secretary's memorandum C(82)10, which we are to discuss in Cabinet on Thursday (22 April).

2. QL Committee has agreed that we must have a Water Bill in the next Session, but has concluded that it should be confined to raising the borrowing limits of the water authorities. I had hoped that it would be possible to find time for a wider Bill, as proposed by the Secretary of State for the Environment; and I hope that we can consider this further in Cabinet.

3. As you know, I attach particular importance to abolishing the National Water Council. Colleagues will remember that the council has been appallingly inept in managing pay settlements for the water workers. It has long been our intention to legislate the NWC out of existence. I think the time has come to will the means as well as the end.

4. I am sending copies of this minute to the other members of the Cabinet, and to Sir Robert Armstrong.

A handwritten signature in black ink, appearing to be 'G.H.'.

(G.H.)

20 April 1982

MR. HOSKYNS

cc Mr. Pattison
Mr. Scholar

1982/83 Legislative Programme

You will wish to see the two attached Cabinet papers on the 1982/83 legislative programme.

Arising from the Bills recommended for inclusion in the main programme (Annex A of C(82)10) we have a particular interest in two issues:

i) As at present intended, the Water Bill will be confined to a very short Bill to increase the borrowing limits of the water authorities. Ministers have agreed in correspondence not to expand it, and make it more controversial, by including provision for the abolition of the National Water Council. But those of us who have dealt for the last two years with pay bargaining in the water industry have become convinced that nothing short of abolition of the NWC will lead to a significant shift in the balance of bargaining power from the unions to the employer. The Prime Minister shares this view, and at an earlier stage it was decided to draft the legislation: but the provision has been squeezed out of the programme for lack of space. Were an opportunity to arise to reinstate it, we should certainly wish to do so.

ii) A Telecommunications Bill is included, for the privatisation of BT. I have minuted extensively on the discussions in TP(O) about this policy, which will be coming to Ministers in E(TP) on 22 April. As you know, the arguments for the privatisation of British Telecom are by no means overwhelming, even though I think the case is probably made. If Ministers decide to exclude this Bill, which (despite the anodyne description in C(82)11) will certainly be highly controversial, there might perhaps be room for the abolition of the National Water Council.

/Mr. Pattison

- 2 -

Mr. Pattison may care to note these points, with which I think he is already quite familiar.

J. M. M. VEREKER

14 April 1982

PRIME MINISTER

MW

You may like to glance through the attached minutes of this week's QL (QL(82) 2nd) discussion.

The issues which took most time in your meeting on legislation are covered as follows:

Water Bill: Right to Buy for
Leasehold Tenants: page 4.

Gas Safety Bill: Data Protection
Bill: page 7.

There is to be another QL discussion on Tuesday, and thereafter the Home Secretary expects to be ready to put a paper to Cabinet. It is possible that he may want to consult you again before the paper for Cabinet is finalised.

M.A.P.

26 March 1982

SUBJECT



FILE

✓ Master
cc: CW

DS

10 DOWNING STREET

From the Private Secretary

11 March 1982

Dear John

Legislative Programme 1982/83

The Prime Minister, the Home Secretary, the Lord President, the Chancellor of the Duchy of Lancaster and the Chief Whip met this morning for a discussion of the Legislative Programme for next Session, on the basis of the Home Secretary's minute of 5 March reporting discussion in QL on 3 March.

The discussion will be continued shortly, probably in the course of the Prime Minister's regular Monday morning meetings on 15 March. It may nevertheless be useful to you and to other recipients of this letter to have a brief note of the ground covered this morning.

The Prime Minister felt that the '82/83 Programme could accommodate more Bills which would demonstrate a sense of direction in Government policy. She raised first the question of the Data Protection Bill. The discussion covered the areas of controversy likely to be opened up with this Bill. The Prime Minister was disposed to accept that a final judgement could only be made in the light of the public response to the forthcoming White Paper on the subject. She nevertheless wanted to consult Industry Ministers further, about the possible problems for British industry if legislative action was delayed. She also asked that consideration be given to the possibility of drafting and publishing a Bill which might nevertheless not be proceeded with until the 1983/84 Session. The Prime Minister also proposed that if it proved desirable to go ahead with the Bill in 1982/83, it might start in the Lords. The Chancellor of the Duchy said that this might prove helpful to management of Lords business if the Bill were to be in the Programme.

The Prime Minister referred to her personal pledge on the right to buy for tenants of properties held on leasehold or belonging to housing trusts. The Chief Whip drew attention to the results of his researches about the political demand for the measure, and the Home Secretary pointed to the implications of the Boundary Commission's proposals.

The Prime Minister suggested that there was a strong case for a Water Bill which went beyond borrowing limits. The Chief Whip drew attention to the controversial nature of several of the

/proposals

CONFIDENTIAL

Rm.

proposals which would be included in such a Bill and pointed out that action on the Bill needed to be completed by April 1983 in respect of the borrowing powers. The Prime Minister felt that, with an early start, it ought to be possible to meet such a timetable.

The discussion also touched on the possible need for legislation in relation to Northern Ireland, and the priority to be accorded to the Gas Safety Bill, which would be required only if other policy decisions were confirmed.

I am sending copies of this letter to David Heyhoe (Lord President's Office), Jim Buckley (Chancellor of the Duchy of Lancaster's Office), Murdo Maclean (Chief Whip's Office), Michael Pownall (Government Whips' Office, Lords) and David Wright (Cabinet Office).

Yours ever

Mike Pattison

John Halliday, Esq.,
Home Office.



CABINET OFFICE
70 WHITEHALL
LONDON SW1A 2AS

XXXXXXXXXX
233 8595

K 0294

10 March 1982.

M MacLean, Esq.,
Private Secretary to the Chief Whip,
12 Downing Street.

Dear Murdo

LEGISLATION COMMITTEE: 10 MARCH
PRIVATE MEMBERS' MOTIONS: 12 MARCH

1. The only items of business for Legislation Committee on 10 March were two debates on European Community documents, on which I am writing separately, and the handling of Private Members' Motions for 12 March. The Lord President of the Council thought it would be appropriate to settle these matters in correspondence, and the meeting of Legislation Committee was therefore cancelled. This letter sets out the background to the Motions for 12 March and proposes how they might be dealt with.

Young People - Mr Frank Dobson (Labour, Holborn and St Pancras South).

2. The full text of Mr Dobson's Motion is not yet available, but it is likely that he will comment adversely on the current provision of educational opportunities for young people, and the impact of the recession on employment prospects, and make demands for increased resources. So far as education is concerned, extra resources have been made available for courses in schools and colleges for the age group in question, where extra numbers of pupils are staying on. New kinds of courses, and new curricula for the less able, have been announced. The Manpower Services Commission has also announced recent initiatives in this area. On the employment side, the debate would provide an opportunity for the Government to explain the measures being taken under the recently announced Youth Training Scheme, and the Young Workers' Scheme which is currently being built up. Ministers may agree that the best course is for the motion to be talked out, but that the Government should be prepared to defeat it if necessary.

VAT and Historic Buildings - Mr Jim Callaghan (Labour, Middleton and Prestwich).

3. A campaign has been running for some time to exempt from Value Added Tax the cost of repairs and maintenance of historic and listed buildings. The Government has resisted this campaign on the grounds that the case has not been adequately made out. VAT is a broadly based tax, and exemptions are rare. It is open to the owner of a historic or listed building to sell it if costs become too high, or to apply for grants to assist with maintenance. Ministers may agree that, if the motion is reached, it should be talked out, but as it is unacceptable arrangements might need to be made for it to be defeated.

Retirement Pensioners - Mr Tristan Garel-Jones (Conservative, Watford).

4. Mr Garel-Jones may be anxious about the extent to which retirement pensioners may need to fall back on capital to meet rising costs. A wide range of specific issues could be raised, including abolition of the earnings rule, the extension of help with fuel costs to a wider range than those on supplementary benefit, the 'capital cut-off' for supplementary benefit, help with transport, etc. In the course of a debate on the elderly on 4 February the Secretary of State for Social Services announced a range of new measures of assistance. There will be an occasion for a further debate in the course of the Budget debates. The motion is unlikely to be reached, but Ministers might conclude that if it were it should be talked out.

5. In conclusion, Ministers may agree that -

- i. Mr Dobson's Motion should preferably be talked out, but defeated if necessary.
- ii. Mr Callaghan's Motion should, if reached, likewise be talked out or defeated if necessary.
- iii. Mr Garel-Jones' Motion would not be reached.

6. I am copying this letter to the Private Secretaries to the Members of Legislation Committee and the Private Secretaries to the Secretaries of State for Education and Science, Defence, the Environment, Social Services and Employment. I should be grateful if any comments on this letter could be sent to me by 3 pm on Thursday 11 March.

Yours

David Hilary

D H J HILARY

Oil and Gas (Enterprise) Bill (Allocation of Time)

3.40 pm

The Lord President of the Council and Leader of the House of Commons (Mr. Francis Pym): I beg to move, That the following provisions shall apply to the remaining proceedings on the Bill:

Committee

1. — (1) The Standing Committee to which the Bill is allocated shall report the Bill to the House on or before the 23rd March 1982.

(2) Proceedings on the Bill at a sitting of the Standing Committee on the said 23 March may continue until Eleven p.m., whether or not the House is adjourned before that time, and if the House is adjourned before those proceedings have been brought to a conclusion the Standing Committee shall report the Bill to the House on 24th March 1982.

Report and Third Reading

2. — (1) The proceedings on Consideration and Third Reading of the Bill shall be completed in two allotted days and shall be brought to a conclusion at Seven o'clock on the second of those days; and for the purposes of Standing Order No. 43 (Business Committee) this Order shall be taken to allot to the proceedings on Consideration such part of those days as the Resolution of the Business Committee may determine.

(2) The Business Committee shall report to the House their Resolutions as to the proceedings on Consideration of the Bill, and as to the allocation of time between those proceedings and proceedings on Third Reading, not later than the fourth day on which the House sits after the day on which the Chairman of the Standing Committee reports the Bill to the House.

(3) The resolutions in any Report made under Standing Order No. 43 may be varied by a further Report so made, whether or not within the time specified in sub-paragraph (2) above, and whether or not the Resolutions have been agreed to by the House.

(4) The Resolutions of the Business Committee may include alterations in the order in which proceedings on Consideration of the Bill are taken.

Procedure in Standing Committee

3. — (1) At a sitting of the Standing Committee at which any proceedings on the Bill are to be brought to a conclusion under a Resolution of the Business Sub-Committee the Chairman shall not adjourn the Committee under any Order relating to the sittings of the Committee until the proceedings have been brought to a conclusion.

(2) No Motion shall be moved in the Standing Committee relating to the sitting of the Committee except by a member of the Government, and the Chairman shall permit a brief explanatory statement from the Member who moves, and from a Member who opposes, the Motion, and shall then put the Question thereon.

4. No Motion shall be moved to alter the order in which Clauses, Schedules, new Clauses and New Schedules are to be taken in the Standing Committee but the Resolutions of the Business Sub-Committee may include alterations in that order.

Conclusion of proceedings in Committee

5. On the conclusion of the proceedings in any Committee on the Bill the Chairman shall report the Bill to the House without putting any Question.

Dilatory Motions

6. No dilatory Motion with respect to, or in the course of, proceedings on the Bill shall be moved in the Standing Committee or on an allotted day except by a member of the Government, and the Question on any such Motion shall be put forthwith.

Extra time on first allotted days

7. — (1) On the first allotted day paragraph (1) of Standing Order No. 3 (Exempted business) shall apply to the proceedings on the Bill for two hours after Ten o'clock.

(2) Any period during which proceedings on the Bill may be proceeded with after Ten o'clock under paragraph (7) of Standing Order No. 9 (Adjournment on specific and important matter that should have urgent consideration) shall be in addition to the said period of two hours.

(3) If the first allotted day is one to which a Motion for the adjournment of the House under Standing Order No. 9 stands

over from an earlier day, a period of time equal to the duration of the proceedings upon that Motion shall be added to the said period of two hours.

Private business

8. Any private business which has been set down for consideration at Seven o'clock on an allotted day shall, instead of being considered as provided by Standing Orders, be considered at the conclusion of the proceedings on the Bill on that day, and paragraph (1) of Standing Order No. 3 (Exempted business) shall apply to the private business for a period of three hours from the conclusion of the proceedings on the Bill or, if those proceedings are concluded before Ten o'clock, for period equal to the time elapsing between Seven o'clock and the conclusion of those proceedings.

Conclusion of proceedings

9. — (1) For the purpose of bringing to a conclusion any proceedings which are to be brought to a conclusion at a time appointed by this Order or a Resolution of the Business Committee or the Business Sub-Committee and which have not previously been brought to a conclusion, the Chairman or Mr. Speaker shall forthwith put the following Questions (but no others), that is to say—

- (a) any Question already proposed from the Chair;
- (b) any Question necessary to bring to a decision a Question so proposed (including, in the case of a new Clause or new Schedule which has been read a second time, the Question that the Clause or Schedule be added to the Bill);
- (c) the Question on any amendment or Motion standing on the Order Paper in the name of any Member, if that amendment or Motion is moved by a Member of the Government;
- (d) any other Question necessary for the disposal of the business to be concluded;

and on a Motion so moved for a new Clause or a new Schedule, the Chairman or Mr. Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(2) Proceedings under sub-paragraph (1) above shall not be interrupted under any Standing Order relating to the sittings of the House.

(3) If an allotted day is one on which a Motion for the adjournment of the House under Standing Order No. 9 (Adjournment on specific and important matter that should have urgent consideration) would, apart from this Order, stand over to Seven o'clock—

- (a) that Motion shall stand over until the conclusion of any proceedings on the Bill which, under this Order or a Resolution of the Business Committee, are to be brought to a conclusion at or before that time;
- (b) the bringing to a conclusion of any proceedings on the Bill which, under this Order or a Resolution of the Business Committee, are to be brought to a conclusion after that time shall be postponed for a period equal to the duration of the proceedings on that Motion.

(4) If an allotted day is one to which a Motion for the adjournment of the House under Standing Order No. 9 stands over from an earlier day, the bringing to a conclusion of any proceedings on the Bill which, under this Order or a Resolution of the Business Committee, are to be brought to a conclusion on that day shall be postponed for a period equal to the duration of the proceedings on that Motion.

Supplemental orders

10. — (1) The proceedings on any Motion moved in the House by a member of the Government for varying or supplementing the provisions of this Order (including anything which might have been the subject of a report of the Business Committee or Business Sub-Committee) shall, if not previously concluded, be brought to a conclusion one hour after they have been commenced, and paragraph (1) of Standing Order No. 3 (Exempted business) shall apply to the proceedings.

(2) If on an allotted day on which any proceedings on the Bill are to be brought to a conclusion at a time appointed by this Order or a Resolution of the Business Committee the House is adjourned, or the sitting is suspended, before that time no notice shall be required of a Motion moved at the next sitting by a member of the Government for varying or supplementing the provisions of this Order.

Saving

11. Nothing in this Order or a Resolution of the Business Committee or Business Sub-Committee shall—

[Mr. Francis Pym]

- (a) prevent any proceedings to which the Order or Resolution applies from being taken or completed earlier than is required by the Order or Resolution, or
- (b) prevent any business (whether on the Bill or not) from being proceeded with on any day after the completion of all such proceedings on the Bill as are to be taken on that day.

Re-committal

12. — (1) References in this Order to proceedings on Consideration or proceedings on Third Reading include references to proceedings, at those stages respectively, for, on or in consequence of re-committal.

(2) On an allotted day no debate shall be permitted on any Motion to re-commit the Bill (whether as a whole or otherwise), and Mr. Speaker shall put forthwith any Question necessary to dispose of the Motion, including the Question on any amendment moved to the Question.

Interpretation

13. In this Order—

“allotted day” means any day (other than a Friday) on which the Bill is put down as first Government Order of the Day provided that a Motion for allotting time to the proceedings on the Bill to be taken on that day either has been agreed on a previous day or is set down for consideration on that day;

“the Bill” means the Oil and Gas (Enterprise) Bill;

“Resolution of the Business Sub-Committee” means a Resolution of the business Sub-Committee as agreed to by the Standing Committee;

“Resolution of the Business Committee” means a Resolution of the Business Committee as agreed to by the House.

Timetable motions are never welcome to the House, but, unfortunately, they are sometimes necessary. I admit that it is with some regret, and only after the most careful consideration, that the Government feel obliged to table this motion, although I am sure that it comes as no surprise to Labour Members, particularly those who are members of Standing Committee E.

Naturally we had hoped to secure the passage of the Oil and Gas (Enterprise) Bill without such a motion, but my hon. Friend the Minister of State made our attitude clear during the Second Reading debate when he said:

“Provided that we make reasonable progress, the last thing that the Government want is a guillotine”—[*Official Report*, 19 January 1982; Vol. 16, c. 240.]

Hon. Members will interpret “reasonable progress” differently, but in the Government’s view, progress has been slow—to the extent that if we did not take action the passage of the Bill through both Houses could be put in jeopardy.

Throughout the proceedings of the Bill so far the Opposition have made their objections to it very clear and they have used every legitimate means, as is their right, to seek to frustrate its passage. We were never in doubt about the degree of opposition that the Bill would receive from the Labour Party.

Mr. Tristan Garel-Jones (Watford): Is it not strange, in the light of the vehement opposition of which he is speaking, that only one Opposition Back Bencher is present?

Mr. Pym: That may be so.

The debate in Committee on the sittings motion lasted nearly three hours. That was perhaps an indicative beginning. Clause 1 occupied eight sittings and over 25 hours of debate, during which time only eight groups of amendments were considered. Clause 2 occupied three sittings and 14 hours of debate, which were spent on six

groups of amendments. The Committee then moved to four sittings a week from 16 February, but even that did not have a commensurate impact on the pace of progress.

I shall not go through the full details of the time that was spent on clauses. One debate on one amendment, which the Committee must have found enjoyable, took nearly six hours, and the discussion ranged from Tudor history, through the rival merits of hill and valley sheep, to the film career of President Reagan. No doubt it was very enjoyable stuff, but it did not enable the Committee to make much progress.

Mr. Edward Rowlands (Merthyr Tydfil): That was not out of order.

Mr. Pym: Of course it was not out of order. I never suggested that it was. I said that it was very enjoyable, but that it was not very helpful to progress.

By the end of last Thursday’s sitting—the seventeenth sitting—after nearly 70 hours of debate, the Committee had dealt with only 11 clauses. Twenty-five clauses and four schedules remain to be considered. It was against that background that the Government reluctantly concluded that a guillotine was needed.

Dr. J. Dickson Mabon (Greenock and Port Glasgow): The Leader of the House has forgotten to tell us one thing in this chapter of the story. One fundamental piece of information is defective. I am referring to the absence of the articles of association, without which it was not possible to make progress on the first eight clauses.

Mr. Pym: I shall come to that matter during my remarks. The right hon. Gentleman has raised an important issue.

The Bill raises many issues that are important to the gas and oil industries, including those affecting the safety of North Sea operations. We are anxious that all the Bill’s provisions are adequately discussed, but at the present rate of progress the Bill could still be in Committee as we approach the Summer Recess. Clearly that is not acceptable. It is, of course, the right and responsibility of the Opposition to oppose measures in which they do not believe, but it is also right and proper for the Government to promote their legislative programme and to see their measures on to the statute book within a reasonable time.

The purpose of this motion is to ensure that the passage of the Bill can be expedited with all the remaining issues sensibly debated. The motion provides for 10 further sittings which, if approved by the House, means that the Committee will have had over 110 hours in which to debate the Bill. We believe that to be a reasonable allocation of time. The motion instructs the Standing Committee to report the Bill to the House by 23 March and provides that if the Committee is sitting on that day, after the House has adjourned, it should report the Bill on 24 March.

Under paragraph 3 of the motion it will be for the Business Sub-Committee to determine the number of sittings between now and the time fixed for Report. The Government hope that the present four sittings a week will be retained until that time, when the motion will lead us to complete the Committee stage after the afternoon sitting. As I say, it is for the Business Sub-Committee to decide. The motion will enable another 10 sittings to take place before Report, to deal with the remaining clauses and schedules. As is usual on these occasions, it is left to

the Business Sub-Committee to determine the compartments into which the Bill should be divided and the times at which debate should close.

Proceedings on Consideration and Third Reading have been allocated a day and a half, with consideration on the first day coming to a conclusion at midnight. The Business Sub-Committee will be able to decide how the time on Report is to be apportioned. I am sure that in deciding the allocation of time it will take account of the desire of hon. Members on both sides to have enough time to deal with the safety provisions in part IV.

Throughout the proceedings of the Committee, Ministers have done everything that they can to be as helpful as possible. My right hon. Friend the Secretary of State has made available a commentary on clauses. He has arranged for briefing on many aspects to be provided to the Committee by BNOC and the BGC. It is proposed to circulate notes on safety matters to hon. Members on both sides.

I know the importance of the matter that was raised by the right hon. Member for Greenock and Port Glasgow (Dr. Mabon) about the articles of association. My right hon. Friend the Secretary of State has told the Committee that he plans to make the articles available in draft, together with the memorandum of association, by the end of this week. I am sure that hon. Members will appreciate the trouble that my right hon. Friend has taken to bring this material forward, given the complex technical work that is involved. There are precedents for the timing in this case and as my right hon. Friend the Secretary of State made clear, they are complex. The articles of association, in draft form, will be forthcoming shortly.

Mr. Gordon Wilson (Dundee, East): The fact that the articles are now to be made available does not affect the argument that the debates would have been shortened if those articles had been available as from clause 1. The fact remains that we shall not have an opportunity, except for a short period on Report, to debate the implications of the articles of association.

Mr. Pym: The hon. Gentleman is entitled to hold that view, but, to say the least, it is challengeable to say that time would have been saved. We do not accept that the work of the Committee has been held up because the articles were not available before. My right hon. Friend made clear the Government's policy on safeguards against changes in control in his speech in Second Reading.

More generally, Ministers have dealt fully with the many questions and points raised in Committee. I note, in particular, from the *Official Report* that on one occasion the Minister of State answered each of 16 questions asked by the hon. Member for West Lothian (Mr. Dalyell). In this and in other respects they have done their best to assist hon. Members in their understanding of the various provisions and to answer their questions in that connection. They have also made every effort to accommodate the wishes of Opposition Members in the proceedings of the Committee. My hon. Friend the Minister of State offered to take part IV out of sequence, in order to meet the wishes of the right hon. Member for Leeds, South (Mr. Rees). Ultimately, the right hon. Gentleman decided not to take up that offer, and that is fair enough. My hon. Friend the Under-Secretary of State withdrew a Government proposal to take schedule 1 after

clause 10—to which it relates—when Opposition Members made it clear that they were not yet ready to consider that schedule.

My right hon. Friend the Secretary of State arranged for the Committee to delay its sitting on 2 March until 7.30 pm, so that hon. Members could take part in a debate on gas prices. Therefore, the Government team did their best and went to every length to help the Committee's smooth running. However, at the end of the day there must be a limit to the length of time spent debating a Bill and, in the case of this Bill, that limit should now be set by means of the motion.

As I have said, however regrettable it may be, timetable motions are sometimes necessary. It may be fair to refer to a similar motion that was moved in 1975 and which referred to a similar Bill, the Petroleum and Submarine Pipe-lines Bill. That motion was moved after 60 hours in Committee. The right hon. Member for Lanark, North (Mr. Smith) then made various remarks about timetable motions and their occasional necessity. I cannot improve on those remarks.

Mr. Tam Dalyell (West Lothian): I am not insinuating that the right hon. Gentleman suggested that my 16 questions were irrelevant, but will he confirm that they were all relevant and legitimate?

Mr. Pym: I understand that they were relevant, legitimate and serious. Indeed, they received the serious answer that was called for. I have merely given one example of the way in which Ministers tried to help all Committee Members.

Mr. W. E. Garrett (Wallsend): Although it may be fair for the right hon. Gentleman to refer to the number of questions asked by my hon. Friend the Member for West Lothian (Mr. Dalyell) should he not have struck a balance and referred to the number of questions asked by the hon. Member for Bedford (Mr. Skeet)?

Mr. Pym: Many questions were asked, but a "bank" of 16 was unusual and, therefore, worthy of comment.

The right hon. Member for Lanark, North said in 1975: "It would not be possible for any party that has held office in this country to object to timetable motions in principle, because it would have behind it a record of its own activities when in office. That applies to my own party as well as to the Conservative Party. There is a growing conviction that to make too much fuss about a timetable is indulging in a certain amount of hypocrisy."—[*Official Report*, 7 July 1975; Vol. 895, c. 162.]

I am bound to say that that is a very fair assessment. Although the motion is to be regretted, I have explained why, after the most careful consideration, the Government came to the conclusion that it was necessary to move it now, so that the Bill can reach the statute book in time and so that the remaining 25 clauses can be properly and fully debated. That is why I have moved the motion, and I ask the House to approve it.

3.53 pm

Mr. John Silkin (Deptford): In spring, the Lord President of the Council's fancy lightly turns to timetable motions. He has been remarkably consistent. Spring always comes rather early for him—on the second Monday in March. Last year, on the second Monday in March, he introduced a guillotine motion and he has done so again this year.

However, the two Bills involved are extraordinarily different. Last year's measure was the Transport Bill. The right hon. Gentleman told us that hon. Members should

[Mr. John Silkin]

not cite precedents from other timetable motions because every timetable motion referred to a different Bill and was, therefore, a separate issue. However, as the right hon. Gentleman has cited precedents today, I am entitled to refer to that Transport Bill. The Leader of the House referred to that important Bill and said that a timetable motion was needed because only one-fourteenth of the Bill had been studied. I think that five groups of amendments out of 70 have been debated. He said that, as only one-fourteenth of the Bill had been debated so late in the Session, a guillotine motion was necessary. What is the position today? Let us forget momentarily the rights and wrongs of the Bill. The Committee has reached clause 12, or has debated one-third of the Bill. There are 36 clauses and schedules, but many of the clauses still to be debated are nominal.

However, there has been an interesting development. Ten clauses have been dealt with in three weeks. Therefore, I cannot imagine why the Leader of the House should say that the Bill will not be ready until the Summer Recess. There seems to be a fault in his arithmetic. Given the present pace, the Bill will have left this House by the Whitsun Recess. Of course, no one can say what will happen to the Bill in the other place. Therefore, I do not quite understand the right hon. Gentleman's indignation. He has said that the Opposition have legitimate objections to the Bill. Of course, we have legitimate objections to any controversial Bill. However, timetable motions are applied to only a few Bills. Although we argue and fight about Bills, the Government generally get their legislation. Therefore, we seem to be dealing with a question of, as the right hon. Gentleman said, reasonable progress. For such a controversial and difficult Bill, we have not made unreasonable progress.

What are the right hon. Gentleman's arguments? He cited a rather interesting debate that seemed to go on for a long time and to touch on topics that some of us might wrongly have thought to be on the borderlines of order. The Committee Chairman did not think such debate out of order, and he is undoubtedly always right. The right hon. Gentleman said that that debate took six hours, but he is not a child and neither am I. We have both been Chief Whips and know that there is a little thing called a closure notice. Why on earth were the Government so incompetent as not to employ it? That would have shortened the argument then and there. Given that the argument ranged over so many topics, I cannot imagine that the Chair would not have accepted a closure motion three or four hours earlier. Therefore, the right hon. Gentleman's argument about that debate is not very good.

The right hon. Gentleman referred—by implication—to the Government's competence, or lack of it. That did not altogether surprise us. The Bill received its Second Reading on 19 January 1982. It is one of the most important, controversial and complex Bills to be introduced this Session, yet it received its Second Reading late in the day. Of course, our debates would take time. However, the pace in Committee has not been particularly slow. [Interruption.] There must have been a bit of incompetence as well as courtesy. Most of the courtesy was extended—as the right hon. Gentleman accepted—to perfectly legitimate questions, such as those asked by my hon. Friend the Member for West Lothian (Mr. Dalyell). The Government gave most of the answers courteously

and at some length. If anybody was taking the time, it sounds to me as though it was the Government Front Bench—

The Secretary of State for Energy (Mr. Nigel Lawson): The right hon. Gentleman was not there.

Mr. Silkin: Of course, I was not there. The Secretary of State, who was not there, must know that the Leader of the House was not there either. The Leader of the House and I can only judge by reading the *Official Report* of the proceedings of the various Committees and by talking to our colleagues. If the Secretary of State for Energy believes that every Leader of the House and every Shadow Leader of the House is present at every single Committee sitting, he knows very little about the workings of the House. Of course we were not there.

Mr. Peter Rost (Derbyshire, South-East): The right hon. Gentleman obviously did not take part in the proceedings as I did, otherwise he would not try to mislead the House about the length of time taken by the Conservative Front Bench, or, indeed, by Conservative members of the Committee. If the right hon. Gentleman had attended that Committee, he would have been thoroughly bored and frustrated by the tedious repetition and length of contributions from some Labour Members on that Committee—I am not referring to the right hon. Member for Leeds, South (Mr. Rees)—and he would not have made such remarks to the House.

Mr. Silkin: I hold the view that interventions should be short to be effective. The longer they are, the less effective they are. I was not talking about Government Back Benchers. The poor devils are always in the difficulty that they must keep quiet because the Whips want the Bill to go through. I know, because I have been a Chief Whip. The Government want their legislation, so the Conservative Back Benchers are bored and frustrated, particularly when all the good points are being made by Labour Members. What does one expect?

From what the Leader of the House said, it would appear that the detail with which the Government Front Bench dealt courteously with the Opposition's points inevitably took a great deal of time. That is all that I was saying; I was agreeing with the right hon. Gentleman.

Mr. Peter Hardy (Rother Valley): The point that my right hon. Friend makes about the Conservative Back Benchers is accurate, except in one respect. The hon. Member for Bedford (Mr. Skeet) was responsible for one of the longest speeches in Committee, on an amendment that occupied a considerable amount of the Committee's time.

Mr. Silkin: My natural courtesy prevented me from pointing that out.

The Government will get this timetable motion. Governments always do. We know that. However, what is its real effect? It is that we shall not have fully debated part II before the guillotine falls. The Committee has reached clause 12 and there are a further four or five important clauses to be dealt with. The Leader of the House made an astonishing remark concerning the articles of association of Britoil. He said that they will be available at the end of the week. That is only two weeks after the whole of the first part, dealing with oil, has been dealt with and disposed of ruthlessly by the Government. That is

absolute nonsense. How can one possibly deal with that in Committee when the clauses in question have already gone past?

Dr. J. Dickson Mabon: If the motion goes through—and I hope that it does not—we shall have had 27 sittings, during only six of which will the Committee have seen the articles of association.

Mr. Silkin: I did say that there was a considerable amount of incompetence on the Conservative Benches. There is no doubt that that is true. The right hon. Gentleman is merely reaffirming the case. The Leader of the House rather slurred over the question of safety with regard to offshore activities. I think that he felt a little difficulty in putting the point across. That matter was dealt with on Second Reading by the Secretary of State in four throw-away words. All those matters would be destroyed by a timetable motion. Proper discussion would disappear.

Why do the Government want to rush the Bill through? There is no shortage of legislative time. This is the Session of all Sessions when the Leader of the House has shown more competence and ability with regard to the allocation of time than I have ever seen. He knows that I believe that. I have always paid tribute to his ability to do it. He has managed for the first time to cut the amount of time spent on legislation, so that we can spend a little more time on other matters. Such legislative time as there is should be made available for the most important, the most party controversial legislation.

Can anyone imagine anything more controversial than the Oil and Gas (Enterprise) Bill? Incidentally, it is amazing that the BNOC rip-off is being discussed at the very time when North Sea oil prices are falling and destroying the current value of the assets, which may well fall to 50 or 60 per cent. below face value. It is amazing at such a time to be told that we have to sell the assets quickly. This is the moment of all moments, that has been chosen for the destruction of our assets.

I suppose the answer is that ideology, particularly on the Government Front Bench, will always come to the fore. Privatisation is the Government's particular ideology at the moment. I suggest that there is a better word than "privatisation". The new verb for what is being done ought to be "to Amersham"—to sell off publicly owned assets at bargain basement prices, regardless of the public interest. We know how strong the Government's ideology is in this respect. We have seen it with British Telecom, Cable and Wireless, British Aerospace, and Amersham International. We know that the biggest "Amersham" of all is the Secretary of State for Energy, so that we are not surprised that this measure should be before us today.

All the parties on the Opposition Benches oppose the timetable motion. It is not just the usual procedural opposition to a timetable motion; it is an opposition based upon substance. We believe that it is an evil Bill, a bad Bill and a wicked Bill from the point of view of the nation's prospects and chances. We also believe that there has been a deliberate attempt to prevent its being properly discussed and to prevent the people from understanding what is being done in their name. I call upon my right hon. and hon. Friends to oppose the timetable motion in the Lobby.

4.7 pm

Mr. Tony Speller (Devon, North): This is apparently a simple, straightforward procedural matter in the sense

that, whichever Government are in power, they make the same comments, and whichever party is in Opposition, it makes the same comments. On the Front Benches there are right hon. and hon. Members who have done it before and who doubtless expect to do it again. On behalf of the Back Benches, I express the hope that the system will be changed, so that it will not be done again as a matter of ritual.

In Committee we have spent 17 days signing letters, sealing envelopes, attempting to make quick telephone calls and to do some of our work as Members of Parliament, simply because we do not have a timetable motion at the beginning of the Committee stage. I hope that sooner or later some change will be made in that respect.

I am in favour of the motion today—we must have a timetable—but how sad it is to those of us who are relatively new in this place and who are still keen on seeking to assist the passage of legislation. We have enjoyed good fellowship in Committee. Some of our sittings were more like good Rotary meetings than anything else. We have been good friends on each side of the Committee, and extremely good humoured most of the time—there have been one or two excellent witticisms that we have been able to use afterwards in other places—but, alas, there has been virtually no progress, so that inevitably we have come to the need for a timetable motion, with the usual ritual speeches.

It is not easy for a relatively new Member of Parliament to speak in complete support of the Government and of the Bill while knowing that, apart from saying the ritual "Aye" and even an occasional "No", one is contributing nothing to the work of the House. I feel a deep sense of sorrow, almost of shame, that we have spent so much time and achieved so little.

I have enjoyed every moment of the Committee, and I now believe my children when they say that they can do their homework and watch television at the same time, because that is what most of us were doing, although without the television. Of course, it depended on the programme. When the hon. Member for Rother Valley (Mr. Hardy) spoke, we were riveted and all sounds of writing ceased. However, when one or two other hon. Members wished to speak, the rustling became quite remarkable.

I can see no alternative to this timetable motion. It was strange that the Opposition spokesman spent almost 12 minutes in Committee reading out the previous jobs of Government members of the Committee. As a shopkeeper, I was greatly honoured to be called, I believe, a company director. That is how we are normally referred to in court, should any of us ever reach court. Of course, most of us do not wish to reach court. My late father said that only a pauper can afford to plead not guilty and that one should avoid the courts as much as one can. That comment is, I hope, an example of the entertaining chit-chat that we have had across the Committee room. However, we must try to get the timetable motion through and, in the remaining time, try to discuss the Bill and make useful comments. I have heard many useful comments from hon. Members on both sides of the Committee, but there is no doubt that the preponderance of time was spent taking up the time. Many hon. Members on both sides of the Committee felt that we could have done slightly better than that as the time passed.

[Mr. Tony Speller]

When talking about a motion such as this, it is not unfair to say that every newer Member of the House who has served in Committee on such a major issue has similar feelings to mine. We wish only that this ritual debate had taken place a little sooner in the proceedings. The Bill is perhaps the most important one of this Parliament. It is certainly crucial to those hon. Members who are interested in energy. It is a great shame that we may discuss it more today in this Chamber than in Committee.

This system is an unacceptable waste of parliamentary time. It does us no good in the eyes and thoughts of the public who come to listen to us in Committee and who may share our good humour and friendship, but who will not admire the way in which we conduct our business. We have sat through mornings, afternoons and one extremely pleasant late evening which went through to the early hours of the morning. At the end of those sessions I knew five excellent jokes told to us by the hon. Member for Merthyr Tydfil (Mr. Rowlands). I have used four of them and raised laughs, but I raised groans with the other. However, as the night wore through, I felt that I must pay attention.

There were also occasions, because of the preponderance of hon. Members from north of the border—who have some form of Thursday exeat, which those of us who come from Devonshire with a five-and-a-half-hour journey home would wish to share—when I needed simultaneous translation. That applied especially to the hon. Member for West Stirlingshire (Mr. Canavan), who is not with us now, and was not present at all the Committee sessions, because there were occasions when the exchanges across the table were such that the ordinary Sassenach was at some disadvantage.

Mr. Dick Douglas (Dunfermline): Where is the ordinary Sassenach?

Mr. Speller: The minority of us from England have enjoyed ourselves tremendously and we feel that we can now take our holidays across the border with a greater sense of security.

This is a short debate, and I suspect that other hon. Members will wish to voice similar thoughts to mine, or, if they are old hands, similar thoughts to those of my right hon. Friend and the right hon. Member for Deptford (Mr. Silkin). I support the motion. We must have the guillotine. I pray only that on the next long Committee on which I serve—we will consider that sometimes the great British public do not think as highly of the House as I, and may believe that we waste our time a little. Sometimes they are right.

4.15 pm

Mr. Dick Douglas (Dunfermline): The major point of substance about the apparent delay in progress has been that admitted by the Leader of the House—the appalling lack of basic material about the articles and memorandum of association. The first part of the Bill cannot be discussed in the absence of those documents. The Secretary of State, during a Committee session last week, told us that those important documents might be made available in draft form by the end of this week. I have no idea of the exact nature and scope of the documents, but I imagine that there will be many pages and details for us to plough through. The part of the Bill to which they relate has been dealt

with, so we must return to these important aspects on Report. The Secretary of State must know in his heart of hearts that the reason for some of the delay and difficulty is the non-receipt of these important documents.

The hon. Member for Devon, North (Mr. Speller) has some experience of the House, but I have a little more. Oppositions fight for time. Time is the safety valve here. If the Government deny time to the Opposition, they deny the safety valve in the democratic process. One argument of the Leader of the House is that he wishes to get the Bill through the House before the Easter Recess. I ask the right hon. Gentleman, who is an extremely intelligent and charitable gentleman: what is the haste? If world oil prices had remained stable there might have been an argument for putting this important national asset into the hands of the Secretary of State so that he could put it on the market at the end of this year, as he originally intended. That would certainly have helped the public sector borrowing requirement. That is part of the strategy of the Government. We all know that the reason for the original haste was that the Government were searching for public assets that they could flog off and therefore reduce the PSBR.

The Secretary of State is not a complete fool in such matters. We have said in Committee that he used to write the *Lex* column in the *Financial Times*. He knows that this is probably the worst possible time to put an asset such as Britoil on the market. There is instability, OPEC is having an emergency meeting and Saudi Arabia is debating whether to reduce its output of oil by more than half our production from the North Sea. Saudi Arabia argues that it will maintain oil at \$34 a barrel because it can turn the tap back. At the same time the Secretary of State congratulates BNOC because it proposes to cut the price of oil from the North Sea by \$4 a barrel and thereby use our resources to cause a reduction in world oil prices.

If the Secretary of State is right in his forecasts, I cannot see how he can argue that there is stability in the world oil market. Whoever the Government's merchant bank advisers are, they cannot argue that this is a good year to put our national assets on to the market. There is no need for haste.

There is no reason for haste in relation to the gas market. The Secretary of State said in Committee that 5 trillion cubic feet of gas are awaiting exploitation and that British Gas has been obdurate. The total reserves of gas are about 40 trillion cubic feet. There is no haste to loosen the gas market so that further exploitation and exploration can take place.

Safety is an important part of the Bill. As a palliative, the Secretary of State has said that British Gas and BNOC will submit their views on safety. I have no doubt that their views will be useful, but what about the trade unions and the people who do the job? What opportunity will they have to give evidence? That evidence should be given. It is important in the light of the recent Norwegian and Canadian experiences. We have already had a full report and a debate on safety aspects in the North Sea, but we shall not have an adequate opportunity to examine fully the safety aspects.

Safety is a non-party matter. To play party politics with safety would be shocking, but the Leader of the House is in danger of doing so, because that is what the guillotine means. He intends to drive the Bill through the Committee to satisfy some peculiar Government timetable. If there is a delay in passing the Bill, it will not necessarily be by this

House. Delay could happen in another place, because there can be no guillotine there. I am not willing to allow the Bill to be rushed through because of the Government's fears that it might be held up by excessive debate in another place.

The Leader of the House has offered no evidence of filibustering. He said that the debates had been good-natured and relevant. We had some good replies from the Minister of State, some passable replies from the Secretary of State and some middling to passable replies from the Under-Secretary of State.

We need more detailed information about the Government's policy generally and in relation to safety in particular. The safety provisions should not be at the beginning of the Bill. They should have been left out and submitted for consideration under the new Select Committee procedure. The vital safety aspects should be dealt with in a non-political way. We have had a report and massive experience in the North Sea and internationally. We need to know the views not only of BNOG and British Gas, but of the host of other participating organisations.

I deplore the timetable motion. When the Leader of the House reflects, he will realise that, in relation to safety, he is playing politics with people's lives. That should not happen.

4.26 pm

Mr. David Myles (Banff): A tremendous amount of humbug is connected with a motion such as this. I could not agree more with my hon. Friend the Member for Devon, North (Mr. Speller). I am pleased to follow the hon. Member for Dunfermline (Mr. Douglas). In his speech against the timetable motion I did not detect any argument against imposing a discipline so that we can debate the Bill sensibly and discuss the two sides to the arguments.

I entered the House on 3 May 1979. This is the third time that I have been a member of a Committee on a Bill that has been guillotined. It is the second time that I have taken part in a debate on a timetable motion.

The Committees on which I sat previously were different from this Committee. They were much more antagonistic and much less friendly. I give credit to the Opposition Front Bench and to all hon. Members, including even the hon. Member for West Stirlingshire (Mr. Canavan) who took up most of the time in our debates. The hon. Member uses invective, but has a smile on his face when he sits down. He knows that nobody really believes him and that nobody will take offence at what he says. It is a pity that the hon. Member, who has an almost delicious sense of humour, comes across badly in the media because when the awful things that he says appear in cold print the spirit of his remarks are lost.

Mr. W. E. Garrett: It is unfair to speak about my hon. Friend the Member for West Stirlingshire (Mr. Canavan), because he is using his invective in Cuba against President Castro. My hon. Friend is a member of the foreign affairs group.

Mr. Myles: I am grateful to the hon. Member because I was about to say that the hon. Member for West Stirlingshire is in central America, or somewhere. I am not sure what line he will be taking.

If the Committee had been conducted under the rules of the radio parlour game "Just a Minute" in which there

can be no repetition, no deviation and no hesitation, the Bill would have completed more of its Committee stage. Seriously, up to now there has not been too much serious debate in the Committee, but the Bill is important and serious. It deserves serious and balanced argument from both sides.

This is part of my objection to what has been called a ritual by my hon. Friend the Member for Devon, North. Everyone knew that there would be a timetable motion. The right hon. Member for Leeds, South (Mr. Rees) said in Committee that there was likely to be a guillotine. The hon. Member for Dundee, East (Mr. Wilson) said that he wished that all Bills were guillotined, possibly so that the Scottish Nationalists could have a better chance of having their names printed on the front page of the Dundee *Courier and Advertiser*. He said that there should be a guillotine. I think so, too.

I admit that I was not present at the late-night sitting. I was slightly insulted when the Whip said that it had been decided that the two elder members of the Committee—my hon. Friend the Member for Aberdeenshire, West (Sir R. Fairgrieve) and I—were excused on account of our age. I thought that I had far greater stamina than many of the younger members of the Committee. However, although I was slightly insulted, I did not argue, because I knew that I could read the whole debate in the record. I also knew that I need not waste my time reading the record because nearly all the debate was a time-wasting exercise.

I realise why Opposition Members take up the time of such Committees and try to delay measures of which they thoroughly disapprove. If we were in Opposition, we would try to use that weapon as well. I believe that we should find a more civilised—although the Committee is civilised—and business-like way of conducting our affairs so that we do not need to take up time in Committee and on the Floor of the House in debating a timetable motion. That seems to be a contradiction in terms.

The debate reflects the way in which the House is supposed to work in a number of other spheres. My hon. Friend the Member for Devon, North and I are talking entirely as a result of what we think and not as a result of some research assistant's notes or from Whips Office notes. We are talking as practical people who became Members of Parliament recently. We are disturbed at the complicated ways in which the business of the House is carried out.

There are two types of hon. Members on both sides of the House. One is the intelligent, highly educated and sophisticated person who sees the problems of politics in a complicated way, such as the hon. Member for Dunfermline (Mr. Douglas). The hon. Gentleman left me aghast at the vast knowledge that he was always so willing to display in the debate without looking at a note. He could reel off figures and the names of the oil rigs that he had visited. I was greatly impressed, but then I thought that he was telling us only the little that he knew. He did not reveal the vast amount that he did not know, but he revealed almost all that he knew about the oil industry.

I am interested in the Bill. However, I feel a little inhibited in that one of the only things that I was able to do in Committee was to intervene on a point of order at one stage to ask whether speaking about the Hillhead by-election had anything to do with the Bill. I was a little annoyed for the simple reason that the gas comes ashore at St. Fergus in the constituency of my hon. Friend the

[Mr. Myles]

Member for Aberdeenshire, East (Mr. McQuarrie). It is not far away from Banff. On three separate occasions I have been out on oil rigs—I have visited the Forties, Ninian and Murchison fields. In the North-East of Scotland we have a close interest in energy. I felt inhibited because it was frowned upon that Conservative Members should speak in the run-up to what everyone knew would be a timetable motion.

I realise that it is cutting the ground from under our feet, but if ever we happen to land on the Opposition Benches again—as things are going that will not be likely for a long time, certainly in my parliamentary career—I shall understand the fixation of Opposition Members. However, they could make logical and sensible points that could be printed in the *Dundee Courier and Advertiser* with merit to the hon. Member for Dundee, East if that were possible.

I wholeheartedly support the timetable motion. I wish to goodness that we had had a reasonable timetable on the Bill right from the start so that we could have got down to the business in the Bill and debated it throughly, knowing that the articles of association were to come. I feel slightly guilty on behalf of my right hon. Friend the Secretary of State that the articles of association were not available in Committee. Opposition Members have a point about that. However, there was no need to labour it time and again. There was no need to take up the Committee's time and to be so repetitive.

I support the timetable motion. I hope that the hon. Member for Dundee, East, who said that he supported timetable motions for every Bill, will also support it.

4.38 pm

Dr. J. Dickson Mabon (Greenock and Port Glasgow): The hon. Members for Devon, North (Mr. Speller) and for Banff (Mr. Myles) have argued that there is no alternative but to support the timetable motion. There is an alternative. The hon. Member for Banff hinted at it towards the end of his speech.

Mr. W. E. Garrett: On a point of order, Mr. Deputy Speaker. I did not wish to intervene so early in the right hon. Gentleman's speech, but I should like to draw attention to the fact that three Scottish Members have been called and so far as I am aware not one English Member has been called.

Mr. Speller: May I say that I resent that remark?

Dr. Mabon: I do not want to interrupt this debate between the nationalities, but so far as I am aware the Lord President of the Council is an Englishman, and the hon. Member for Devon, North (Mr. Speller) is an Englishman, which is not bad going as the debate must finish at twenty minutes to Seven o'clock. I had better get on.

There is an alternative to the timetable motion. Every Government know that. At the commencement of the Committee stage the Government and the Opposition could have tried to agree a programme. We shall now be compelled to do so. The Bill is vital, not only because of the public aspects of safety and so on, but politically, as it is concerned with the Government's views and prejudices. The hon. Member for Dundee, East (Mr. Wilson) and I are certainly not aware of a suggestion that we should have had a voluntary timetable.

Mr. Merlyn Rees (Leeds, South): The Government did not approach anyone.

Mr. Lawrence Cunliffe (Leigh): It was extremely difficult to negotiate any form of timetable. The hon. Member for Devon, North mentioned a set timetable, but the basic documentation, such as the articles of association, has still not come from the Government. It was near impossible to reach an agreement between the parties on a sensible and methodical timetable without the documents.

Dr. Mabon: That confirms what I believed.

The alternative to the Opposition weapon of time is rational argument in a decent compass of time. Anyone who has held a ministerial post knows that Bills are not always perfect or as effective as one would like. They need to be discussed and changed. Even within the guillotine timetable there will be batches of Government amendments, as they will have changed their mind or been advised by their officials of defects.

The Government are merely continuing the bad habit of successive Parliaments. They are disregarding the idea of voluntary timetables and allowing, as they see it, the Opposition to waste time before bringing in a guillotine. That is a waste of rational debate. If the Government were really fair they would agree that too much time has been wasted because they did not show the Opposition the articles of association and give them help to understand the Bill so as to agree a voluntary timetable.

The Government, of course, in that case would not get the Bill by Easter. It is farcial to believe that we can rationally debate the remaining clauses in 10 sittings. I have seen many timetable motions in my 25 years in Parliament. This is one of the cruellest that I have witnessed. Both sides play a bad game with timetable motions. Here, for example, on Report and Third Reading we are limited to two days. Hon. Members on the Government Benches cannot reasonably support the motion.

We have had two good-natured speeches from Conservative Members. I am becoming sick of how good natured the Committee is. We are dealing with a matter that is fundamental to the British people. It is serious, not only for those who work in the North Sea, but in the disposition of our assets. I do not like inordinate friendliness now that we have come to a guillotine.

The hon. Member for Banff said that we had always been under the threat of a guillotine. If so, it is even more shameful that the Government did not ask for a voluntary timetable.

Mr. Myles: As the right hon. Gentleman says, the Bill is important. It is important to the Government's strategy for breaking up the centralised control of our assets.

Dr. Mabon: Whichever Government are in power, they are entitled to get their business. In the last analysis the House is not entitled to deny them that.

Debate on the Bill is not being used to impede other business. We have all seen an innocent Bill filibustered to hold up another Bill, but this Bill is being argued on its merits or demerits.

In the 17 sittings so far we have not had inordinately long speeches. We did sit all night once. Like the hon. Member for Banff, I took advantage of my years to go home. Talking nonsense until 6 am or 7 am is a waste of intelligence and rational time, of which we are all short. We are, the good book says, allotted a certain span. It is silly to waste time on nonsense. I salute hon. Members

who had to stay or who decided to stay. It was a feat of endurance. I have done it many times, but it is no less foolish. It advances argument not one whit.

Apart from that sitting, it has been a good Committee. The hon. Member for Dunfermline (Mr. Douglas) may have been over-generous, but I believe that we had ministerial replies which were full of substance, because we had no substance to begin with. These ghostlike creatures, the articles of association, are to make their spectral appearance only at the end of this week, I believe.

Mr. Cunliffe: The Dead Sea scrolls.

Dr. Mabon: We pleaded for the articles of association even in draft or in part rather than not at all. Tooth by tooth we extracted from the Minister of State and the Secretary of State what they would mean.

The Social Democrats and the Liberals do not want the old system to continue of one side doing equally bad things to the other. I remember on one occasion when, through the night, the House discussed the cheese ration. I remember in 1950 when Adam McKinlay was denied a pair for a vote at 7 am, even though his wife was dying.

The late Lady Tweedsmuir told him to go home, as she would refuse to vote. She had guts. Those silly days were ended when the Labour Government said that prayers would last for only one and a half hours. At a stroke we stopped one of the most farcical post-war parliamentary nonsenses. One side or other must say that it will lay down the weapon. I should like the Government to say today that it really is wrong on reflection, to pass the motion.

I believe that it is right for the Government to negotiate with the Opposition parties about when they will get their Bill, if it is not at Easter, as is here proposed, then at Whitsun. Even then there will be plenty of time to get it through the House of Lords and to bring it back here for discussion so that by the end of the Session the Secretary of State has his Bill if he insists on having it in the way in which it is now packaged.

That is essentially the case that the Government must answer tonight. It is not the yah-boo of past quotations and present intentions, but a rational argument. This is an important Bill. Parts of it need to be debated properly and fully both here and in the other place. The Government ought seriously to consider withdrawing the motion and negotiating a voluntary timetable that will satisfy the Opposition and all the members of the Committee as well as other hon. Members on the Government Benches.

4.50 pm

Mr. Peter Lloyd (Fareham): I am not a member of the Standing Committee on the Oil and Gas (Enterprise) Bill, so I have not experienced the hours of ennui on its Back Benches updating my joke book so I cannot begin to match the good humour and wit of my hon. Friends the Members for Banff (Mr. Myles) and for Devon, North (Mr. Speller). That will probably satisfy the right hon. Member for Greenock and Port Glasgow (Dr. Mabon), who found my hon. Friends' remarks rather too good-tempered. My speech will be less so.

The Bill is extremely important. Both sides of the House agree about that. Anything to do with the price and availability of oil, gas and energy supplies, on which industry depends, is of immense importance. The general principles of the Bill were debated on Second Reading and the principle of privatisation and competition approved by the House.

As I am not a member of the Committee I have not heard the hours of debate there, but it is clear from comments that I have heard over the weeks from my hon. Friends, from what has been said today and from the reactions of Opposition Members that the efforts of the Opposition have been directed against acceptance of the principle of the Bill as approved by the House and not to trying to improve or modify the Bill as their experience and views dictate.

It is clear that the Opposition have sought to emasculate and to destroy the Bill. I am not in the least surprised to hear that. That is the Pavlovian reaction of the Labour Party when it is suggested that the public sector should be anything but expanded—their ears close and their minds stop working, but their tongues go on freewheel.

There are two reasons why I want to see the Bill passed quickly, apart from the fact that I support its general principles. First, oil exploration and search have been proved to be much healthier in private hands. That is how North Sea oil resources were developed in the first place—without a State company and without Government cash. Private investment and private ingenuity started that development with a speed and effectiveness far greater than the public sector could ever have matched. As a result, the community has benefited faster from the production of oil and gas and extra revenues have accrued to the Exchequer. Those benefits and revenues are much more likely to increase as a result of the greater privatisation of initiative and control which the Bill proposes.

There is a further consequence which is especially desirable at a time of recession. The capital sums raised by the sale can release funds for job-creating purposes. I should have thought that Opposition Members would welcome those objectives and results. Alternatively, the funds could be used to reduce the public sector borrowing and improve the outlook for interest rates, upon which future employment also depends.

It is a great shame that Opposition Members seek to delay a Bill for general dogmatic reasons when its effects would be of so much assistance in solving the problems of the recession, the economy and the high levels of unemployment, which are the subject of constant complaint by Opposition Members. Nevertheless, I realise that, because of their ideological attitudes, Opposition Members will discount those views. I remind them, however, that in 1977-78, under the general supervision of the IMF, the Labour Government sold off a large section—17 per cent.—of their North Sea holding in the shape of British Petroleum. That was part and parcel of temporarily greatly improved economic management and the economy moved much closer to an even keel as a result, although if Opposition Members are honest with themselves they will admit that those benefits were thrown away in the run-up to the General Election.

Dr. J. Dickson Mabon: When the Burmah Oil Company got into trouble, its shares fell to the Treasury. The Labour Government subsequently decided to reduce their holding to 51 per cent. That does not represent the selling off of 17 per cent. of North Sea oil assets.

Mr. Lloyd: I am grateful to the right hon. Gentleman. I shall not pursue the details, which I suspect he knows better than I do, but is he suggesting that no BP shares found their way into private hands as a result of that Government decision?

Dr. Mabon: No.

Mr. Lloyd: That is exactly the point that I am making, and it is the point of the Bill, that North Sea oil assets that are at present owned by the Government should be transferred to private hands. I see no difference of principle. The right hon. Gentleman makes an interesting point, but it does not seem to affect the one I am making.

The Bill has another beneficial effect which leads me to hope to see it on the statute book in a reasonable time. Great benefit will flow from allowing gas producers freedom to find their own larger commercial customers. That is a much-needed change. The Director-General of the Chemical Industries Association has said:

"In recent months a number of chemical firms have requested and have been refused additional or new supplies of gas even in cases where greatly improved energy efficiency would have been achieved. Thus we have a thoroughly unsatisfactory situation where additional or new industrial gas supplies are not available to companies despite a 10 per cent. fall in industrial gas sales due to the recession. We are told that new supplies will not be available until 1984-85. There is no doubt that the best way forward is to permit wider freedom of access to gas supplies. It is misleading to argue that a monopoly to purchase supplies ensures the best price and availability to the final industrial gas user, even though the position may be comfortable for the operation of the monopoly. World evidence does not support such an opinion. We need the fresh breeze of competition to keep the supply industry on its toes and to ensure that energy is available to industry at an internationally competitive price as the world market for our products recovers."

That is absolutely right. There should be no delay in creating the conditions for which the Director General calls. That is why I strongly support the motion. It will put the Bill on the statute book at reasonable speed.

Finally, safety has been mentioned. This is an important consideration if these arrangements are made for piping gas ashore and producers to supply customers direct. It is appalling that so much time seems to have been spent in Committee on general principles that were settled on Second Reading, when there are important practical questions relating to such dangerous matters as these later in the Bill.

I hope that the House will adopt the timetable programme so that a proper amount of time can be allocated to these extremely important questions on which I believe that Opposition Members, especially those who have connections with trade unions and people working in industry, would be well placed to make practical and helpful suggestions.

I commend the motion to the House.

5 pm

Mr. Peter Hardy (Rother Valley): I do not wish to pursue the points of the hon. Member for Fareham (Mr. Lloyd) very far, except to hope that he will find time to read the *Official Report* of some of the Committee debates. He will then appreciate that a considerable part of the Committee's time has been spent pursuing one of the items that attracted his attention—the fact that funds will flow from privatisation. The Opposition sought to ensure that those funds would be more wisely spent than the Government's record so far would lead one to expect.

I found the speeches of the hon. Members for Devon, North (Mr. Speller) and Banff (Mr. Myles) quite delightful. I entirely agree with the hon. Member for Devon, North. I believe that all Bills should be timetabled. I take a revolutionary view of Standing Committees. I do not see why experts should not be called to give relevant

evidence. Indeed, I suggested that Rothschild and Morgan Grenfell might properly be called to give evidence on the highly relevant question of Amersham International. Timetables are desirable. There must be safeguards, of course, because the Opposition's only weapon is time. Nevertheless, I trust that the next Labour Government will be prepared to introduce timetable motions.

You, Mr. Deputy Speaker, may appreciate that it is not my experience of the Committee on this Bill that has led me to that conclusion. I have always said that I should be reluctant to serve on demanding Standing Committees after the one that you chaired with dedication such that we found it extremely hard to stray from the path of relevance, just as it was impossible for us to do so in Committee on this Bill. I was delighted that the Lord President of the Council acknowledged that references to the poem that I quoted, which was entirely relevant, and to Tudor history were not out of order. I should have hated to have incurred that criticism.

The points that we have sought to make in Committee are important, as I hope that the hon. Member for Fareham will recognise, not from the point of view of any dogma of ours, but to ensure that the application of the Government's dogma does not inflict too great a disadvantage on the national interest.

The Minister of State, whom we regard with some cordiality, claimed in the Committee to be meticulous in his provision of replies, and there were periods when he dedicated himself to that purpose. On one occasion, he answered with care 16 questions from my hon. Friend the Member for West Lothian (Mr. Dalyell). Nevertheless, I, too, asked him a large number of questions and the answers were not entirely satisfactory.

My questions to the Minister were basic and fundamental. I believe for example, that it was entirely relevant to draw the Committee's attention to the fact that between 1973 and 1980, year by year, the share of the United Kingdom continental shelf orders accruing to British industry had increased. When the Labour Government took office, only about one-third of the orders arising from offshore contracts were fulfilled by British industry. By the end of Labour's term of office, that had increased to 79 per cent.—a very commendable rate of progress. In the first year of the Conservative Government, however, for the first time since 1973, the share of orders fell fairly substantially from 79 per cent. to 71 per cent. Representing an area of special steels, which is a highly relevant industry, I felt it right to press that point and to suggest to the Minister that steps should be taken to guarantee that that fall would not continue, and that British industrial interests would be protected. I have received no satisfactory assurance that this privatisation, which will take the Government further away from the role of influence and involvement in decision-making, will have any advantage for British industry, so the assumption about the Minister's meticulous approach scarcely extends to that important matter.

I also asked a number of related questions. I referred to a number of oilfields in which BNOC is involved—in some cases the involvement is substantial—and asked for an absolute assurance that investment in industrial plant relating to those fields would not lead to a diminution of their contribution to the economy. Again, no adequate response was forthcoming.

I illustrated my point by reference to the Piper and Claymore fields of Occidental. The House will recall that

a couple of years ago great public attention was given to the mutual admiration of Dr. Hammer and the Prime Minister. The television companies projected and presented the image of a massive mutual confidence which would be of enormous advantage to Britain. When it was later discovered, in October or November last year, that Occidental's plans had been substantially cut, the media unfortunately did not give that the attention that they had given to the original announcements. It is right that the Committee should consider the implications of matters of that kind, as British industry cannot afford to take the blows that may result from these changes.

It is also right that the instability of the Government's policy should be considered in detail by the Committee. We pointed out that since they came to office the Government have changed the offshore tax regime on seven occasions. No doubt, changes in one direction or another will make tomorrow the eighth occasion. The pace of offshore development is not helped by rapid changes in tax arrangements or legislation. Unfortunately, we have still not received adequate assurances about that.

The application of a timetable may be against the national interest in respect of serious safety problems which may arise with regard to gas. Only last week, I produced for the Committee evidence of the impressive safety record of British Gas in the installation of appliances of all kinds. It is clear that people wishing to have gas appliances installed in their homes stand a far better chance of the work being carried out with complete safety by British Gas than by some cowboy operator. I provided all the figures, so I shall not labour the point now, but we have received no satisfactory assurances about safety.

We have also not received a satisfactory response to the evidence of the weeks following the original announcement by the then Minister of State for Consumer Affairs about the disposal of gas showrooms. It is clear that, within days of that announcement, companies began to arrange for and to initiate the import of gas appliances. I believe that one of the responsibilities of this or any Government is to ensure that British industrial interests are properly protected. I see no advantage or virtue whatever in the Government embarking on a policy that will bring comfort to our industrial competitors and lead to further contraction and redundancy in Britain. Undoubtedly, if the gas showrooms close, foreign manufacturers will gain considerable benefit.

Mr. Garel-Jones: Why?

Mr. Hardy: If the hon. Gentleman wishes to add to that, I will give way. It seems that he does not.

Within a week of the announcement that the gas showrooms were to be closed, *The Daily Telegraph* reported that shiploads and lorryloads of gas appliances were on their way to this country. There are a number of reasons for it. One of the reasons, which was the subject of questions earlier today, is that foreign Governments are eager to assist their industries, while our Government stand aloof and rather distant. That has been the case with energy prices.

The most important aspect of energy, which has already been touched on with reference to the articles of association, is price. We have been given little guidance, and the Committee, in the view of one or two Conservative Members, was expected to rubber stamp the Government's

proposals, albeit without having seen the articles of association, and in the face of the appalling experience of the Amersham disposal.

I hope that the House and the country will note the relevant suggestion of my right hon. Friend the Member for Deptford (Mr. Silkin). The Secretary of State would like to go down as the man who was responsible for the biggest programme of privatisation in our history. He would welcome that.

He would not welcome that if a long view is taken, but he ought to accept responsibility for the implementation of my right hon. Friend's suggestion, and for the word "Amersham" to go down as an appropriate new word that could be used as an alternative to "profligacy" to describe someone acting culpably and in opposition to the national interest.

Mr. Myles: I noticed in Committee that Labour Members were always anxious to give way in order to take up more time. I wish to refer to Amersham and to the selling of BNOC shares. If the shares go on to the market and are bought by employees or others—private small investors—and the price goes down, will the hon. Gentleman complain, or will he say that that serves the purchasers right?

Mr. Hardy: In the first debate on Amersham I suggested, and was subjected to a certain amount of ridicule from Conservative Members, that if they were to dispose of the company, given the tributes that they had paid to the work force, the least that they could do was to establish a co-operative.

My second point, which aroused even more anger and opposition from Conservative Members, was that before the Bill became law, the Government should say specifically by how much the nation should benefit, and that the House should not approve the proposition until there was more information about the economic consequences of the disposal. It may be that, had the Government displayed more responsibility and caution over Amersham last week, the national interest and the Government's reputation might be better.

Mr. Garel-Jones: Will the hon. Gentleman remind the House of the price at which the Labour Government launched the shares of BP, and the price at which the shares were quoted when they finally appeared on the market? Would the hon. Gentleman not agree that this sale of public assets to the private sector represented a sale of about 9 per cent. of North Sea oil production?

Mr. Hardy: I always think that it is a pity that hon. Members who have not been members of the Committees should take part in a timetable debate—[HON. MEMBERS: "Why?"] I am trying to explain, and I am prepared to give way to the hon. Member for Dorset, South (Viscount Cranborne) if he wishes to speak.

We are all extremely busy. Those outside do not understand how much work hon. Members have to do. I doubt whether the hon. Member for Watford (Mr. Garel-Jones) has read even one of the many volumes of reports of the Committee's proceedings. He may have started to read one. I hope that he finds entertainment and enlightenment there, but if he goes through them all he will see that the Committee devoted considerable attention to the matter to which he referred, and I do not propose to be excessively repetitive.

Mr. Garell-Jones: I assure the hon. Gentleman that I have read the reports of the Committee's proceedings, and I read with care many of his speeches. On one occasion he spoke for 20 minutes without mentioning oil, gas or enterprise. He preferred to talk about Sir Arthur Bryant and J. K. Galbraith. He should withdraw what he said about me.

Mr. Hardy: I am astonished. The hon. Gentleman seems to imagine that we have to be extremely careful about amendments that may not include the words "oil and gas", but are, nevertheless, relevant. The House may find it boring, but I should explain to the hon. Gentleman the relevance of my reference to the Tudor period, to which the Leader of the House referred. I described how Queen Elizabeth I saw the error of her ways and did an economic U-turn and decided to change her economic policies. I suggested that what was good for Queen Elizabeth I was good for the Prime Minister. It seemed to me that the model of Queen Elizabeth in the sixteenth century had some relevance to our current economic position.

Viscount Cranborne (Dorset, South): I know that the hon. Gentleman has a strong academic background and he will, therefore, recall that one of the evils of our economic situation in the late sixteenth and early seventeenth centuries was that there was far too much granting of monopoly by the Crown. Will the hon. Gentleman draw the same conclusion that my hon. Friends and I have drawn on that subject?

Mr. Hardy: I doubt whether any of my ancestors enjoyed the benefit of a sale of a monopoly in the sixteenth and seventeenth centuries. No doubt the hon. Gentleman could enlighten us about such sales. The fact remains that in a relatively similar period of our history there was a dramatic U-turn that should be repeated by the Government.

I hope that in the wretchedly meagre time provided for further consideration of the details of the Bill we shall get answers to the questions that have already been asked.

I particularly ask the Secretary of State to ensure that more attention is paid to the last matter that exercised the Committee's mind on Thursday. My hon. Friend the Member for Newcastle upon Tyne, West (Mr. Brown) moved an amendment to provide funds for general conservation. I suggested—I hope in a non-partisan manner; Conservative Members will know whether I was partisan—that the removal of State influence offshore, which was inevitable, given the Government's proposals, and the need for greater provision for conservation made the amendment entirely appropriate.

I do not think that Conservative Members spoke in favour of the amendment, but I felt that some of them could see merit in our argument. Unfortunately, the Under-Secretary who wound up, briefly referred only to energy conservation and a visit to Newcastle. The whole argument that I advanced in, I hope, a non-partisan manner, and on behalf, I believe, of all the conservation bodies in these islands, received no response. I hope that sooner or later a more generous attitude will be displayed. I regret that the answer given on that occasion was grossly unsatisfactory.

There has already been reference to the Tudor period and the economic policies of Elizabeth I. The most distinguished citizen from the Rother Valley constituency was Thomas Wentworth, Earl of Stratford. He was

impeached. His offence was far less serious than that being perpetrated by the Secretary of State in the Bill. I only hope that, as my party proceeds to prepare itself for the next general election, maintaining its commitment entirely to the cause of parliamentary democracy, it will during that period of preparation—

Mr. Gordon Wilson: Without bloodshed.

Mr. Hardy:—and without bloodshed, at this stage anyway, look up the references and study the precedents to see how we can reintroduce the principle and practice of impeachment. It has never been more justified than it is in relation to the Bill.

5.21 pm

Mr. Peter Viggers (Gosport): I always enjoy the speeches of the hon. Member for Rother Valley (Mr. Hardy) on almost any subject. I enjoyed the visit to Sir Arthur Bryant and J. K. Galbraith. I should have enjoyed listening to the hon. Gentleman speak about badgers, on which he is an expert, or on moles, a subject on which I once consulted him. I shall, however, pursue only his remarks in relation to Amersham International Ltd.

It would be wrong not to make it clear that the benefit of hindsight has been applied by many sudden experts to this issue. They do not perhaps realise that if the issue had been pitched in a different way—for instance, by way of tender—or if the price had been slightly higher, the net amount received by the Government at the end of the day might have been lower because of the substantial amount that they received by way of interest on the large number of applications for shares. The large number of applications also enabled those sponsoring the issue to make sure that the smaller applicants were granted a higher proportion of the shares than larger applicants, including the pension funds of the mineworkers and others. It would be wrong if the record were not put straight on that point.

Mr. Dalyell: The hon. Gentleman talks of the benefit of hindsight. Some hon. Members serving on the Committee not only found that Amersham was predictable, but that it was predicted, foreseeable and actually foreseen.

Mr. Viggers: The hon. Member for West Lothian (Mr. Dalyell) quoted an example of a commentator who, he reported, was able to show that the price was not as high as it might have been. I put it to the hon. Member that the press comment at the time of the issue was by no means unanimous. An issue needs to be pitched in such a way that it is attractive to those who might participate. If there is a good response, that is a success and not a failure. It is wrong to say that the price was incorrectly pitched and that everyone knew this beforehand. That is not the situation.

Mr. Garell-Jones: Does my hon. Friend recall that about a year ago when this matter was first discussed the hon. Member for Merthyr Tydfil (Mr. Rowlands), speaking for the Opposition, was insistent that when this launch took place the Government should not go down the route of seeking to get what he called the highest price available but should go down a route that would ensure that as many small shareholders and members of the British public as possible would be able to participate?

Mr. Viggers: My hon. Friend reminds me of a point that I had overlooked. I am grateful to him for making an important point.

Debates on timetable motions tend to be as formalised as a Petrarchan sonnet. There are complaints from one side and justification from the other. I should like to examine what is happening under the timetable motion. I should declare interests in the oil and gas industry. I had hoped that the hon. Member for Keighley (Mr. Cryer) would be present. The hon. Gentleman always rushes into the Chamber to ask whether I have declared my interest. I have always done so. I am not, in fact, declaring an interest. I am declaring two interests.

The purpose of the Bill is to allow a sale of some of BNOC's oil-producing business. This is an excellent idea, for three major reasons. As seen recently in the price of oil, large risks are involved in oil and gas exploration and production. There is no need for the Government to speculate on oil and gas futures. The Government are sufficiently committed and capable to reap the benefit that they require and to which they are entitled from the North Sea by way of taxation. Even taxation can produce amounts less than had been originally expected if the price goes down, as can happen, as well as if it goes up.

There is no reason why the Government should be directly involved as an owner of oil and gas futures, which would be the case if they ran the operation themselves. The risks are best taken by private enterprise. It has already been stated that, overwhelmingly, the achievements in the North Sea have been those of private industry.

A second major reason for the sale of some of BNOC's oil-producing business is to enable the British people directly to participate in oil and gas development to the extent that they wish. Taking up a point that has been made about Amersham, I suspect that when the time comes to sell shares in Britoil, it will be necessary to pitch the sale by way of part tender and part public offer. I suspect that there will need to be more than one way of selling the shares to the British people. It should be remembered that the largest numbers of shares are held by institutions and that these are overwhelmingly insurance companies and pension funds. In saying that the British people will participate in oil and gas development, I mean that they are precisely the people who will benefit and participate. It is those who participate through insurance companies and pension funds.

The third major reason for a sale of some of BNOC's oil-producing business is that a sale of 51 per cent. of Britoil will enable the company to proceed to invest private capital as it wishes in oil and gas development. This explains, no doubt, why the Chairman of BNOC has welcomed the Bill.

The Bill is needed because it will allow the disposal of certain assets of the British Gas Corporation. There is to be a sale one day of Wytch Farm. I say "one day" because the Secretary of State has exercised his power and right to require the British Gas Corporation to dispose of Wytch Farm, but there seems no alacrity so far on the part of the corporation to do so. There will also be the introduction of competition, thus changing the British Gas Corporation's monopsony position. I am sure that this will also benefit the consumer in the long run.

I come now to the case for a timetable motion. The only weapon of the Opposition is, of course, time. It is right that the Opposition's major weapon should be time. It is also important that the weapon should not be abused. The fact that a timetable motion is needed is similar to a divorce

in marriage. It shows that there has been a breakdown in communication somewhere along the line. It shows that there has been an abuse of the position—

Mr. Cunliffe: As the Opposition Whip dealing with the Bill in Committee, I have had maximum consultation and the fullest co-operation with the Government Whip. We have discussed over a long period ways of accelerating the progress of the Bill. This has been extremely difficult. It is misleading to give the impression that hon. Members have been able to debate in detail all the technicalities of what is the most wide-ranging Bill presented to the House for many years. Some fundamental documents—the articles of association—were missing and are still missing. Hon. Members have tried, by probing, argument and persuasion in Committee, to obtain the articles of association. It was therefore inconceivable that any agreement could be reached on a practical timetable that would allow rational debate on the issues concerned.

Mr. Viggers: The articles of association of Britoil have become the most famous piece of paper since Chamberlain returned from Munich. I do not know how many hon. Members have read articles of association from cover to cover. I suspect that they will not amount to a large number. My right hon. Friend the Secretary of State for Energy explained in column 171 of *Hansard* of 19 January effectively what the articles of association would contain. He made the point that the articles of association would protect the position of the company, should there be an attempt to take it over. He went on to give further details of the articles of association and said that there would be two Government directors of the board of Britoil as long as the size of the Government holding warranted it.

The outline of the articles of association have been made clear, and I do not think that a long debate on the articles, which amount to a technical legal document, can justify a long delay in Committee. I refute that.

Dr. J. Dickson Mabon: The hon. Member may have seen the articles of association but the Opposition have not. One of the fundamental questions that has not been answered and which must appeal to the hon. Gentleman is: how can a temporary majority be exercised by somebody who owns 0 per cent. of the shares, which is theoretically possible under the Bill?

Mr. Viggers: The right hon. Gentleman seeks to make a point of substance, but the way in which the articles of association will tackle this problem has been spelled out by my right hon. Friend. The detail of the wording may not be produced. I have not seen the articles of association and do not know the technical reason why they have not been produced. I have no doubt that the detail of the drafting is causing considerable work to lawyers. But it is a technical legal point. The absence of a technical legal document should not cause the Committee a great deal of distress.

Mr. W. E. Garrett: The technical legal problem is precisely why we were seeking information. It is important for the hon. Member to realise that we who are not lawyers are blessed with common sense. One of the reasons why we look at these documents is that we distrust so many of the lawyers who present them.

Mr. Viggers: I respect the hon. Gentleman's view, but I do not think that the absence of one document, which is by nature a technical document, ought to delay discussions on the other issues in Committee.

We heard the "sound and fury" from the Opposition Benches on the subject of safety and how concerned they were about that issue, but they have failed to debate the important issues involved in safety, which I accept as important. I do not believe that the absence of the articles of association ought to postpone or delay that important debate.

Mr. Robert Atkins (Preston, North): I am not a member of the Committee and I have come to the debate to hear the discussion. From all that I have heard and from what my hon. Friend has been saying about the "sound and fury" generated on the Opposition Benches, I assumed that there would be a few more Opposition Members here. Has my hon. Friend noticed that there is only one Opposition Back Bencher here? Is that not an indictment of the synthetic nature of this attack against Government policy?

Mr. Viggers: I can only agree. I should like any descendent of mine to read in *Hansard* that the House is empty not because I am speaking, but because Opposition Members are not interested in the debate.

The right hon. Member for Greenock and Port Glasgow (Dr. Mabon), for whom I have the highest regard—I enjoy telling him that I may not be a doctor from Greenock, but I married one—put forward the proposal that a timetable motion should be introduced at an early stage in Committee. Unfortunately, it is not quite that simple, and I am sure the right hon. Member will realise that when he considers the facts.

Until the timetable motion is taken in Committee it tends to be the Opposition who make the speeches, with the Government staying fairly quiet. Once a timetable motion has been tabled and the Committee knows where it is going and how much time is available, the Trappist Benches of the Government suddenly reel out long urbane speeches with hidden depths not thought of before. Therefore, it is not good enough to say that a timetable motion is needed from the beginning. What is needed is a greater understanding between the usual channels on both sides and an attempt to ration time more sensibly, as I am sure everyone will wish to be the case.

Dr. J. Dickson Mabon: A voluntary timetable does not necessarily call for a motion to be put forward in Committee. It is agreed between the Whips or between the two Front Benches. I have dealt with many Bills, from both the Opposition and Government Front Benches, on which we have agreed voluntary timetable systems. That is what we are talking about, and that is what we should have done here.

Mr. Viggers: I am not a member of this Committee and I am not sure how it is operating, but I am a member of a Standing Committee. The right hon. Gentleman no longer represents the Labour Party for Greenock and Port Glasgow, but he will understand that one of the complications about the usual channels is that it is not possible for the Government side of the usual channels to know how the minority parties will be voting or attending. One waits to see them turn up in Committee, which requires a compromise, and then we hear their usual

speeches about on the one hand or on the other, which rather complicates the issue, because we do not know how they will make a stand.

Mr. Archie Hamilton (Epsom and Ewell): Is it not true that on almost every significant Division that we have had since the SDP was formed it has supported the Opposition? Perhaps it can be counted in with the official Opposition and is almost indistinguishable from them?

Mr. Viggers: To demonstrate how the minority parties are lining up on one side or the other, I can tell my hon. Friend that in the Employment Bill Standing Committee we have the support of the Liberal Member. They are remaining all things to all men.

The world has changed in the eight years that I have been privileged to be a Member of the House. Life cannot have been the same after 20 July 1976 and 8 November 1976, when the right hon. Member for Ebbw Vale (Mr. Foot), who is now the leader of the official Opposition, introduced, respectively, motions relating to five and four timetables. Before that timetables were matters of "sound and fury". I shall not continue that quotation too far, because I see that

"it is a tale told by an idiot"

The right hon. Member for Ebbw Vale used to make good speeches, so that would be inappropriate.

Is a timetable motion needed? I do not accept that the Committee should have been delayed by the absence of the articles of association of Britoil. Secondly, the British Gas Corporation is showing no inclination to sell its Wytch Farm interest or to hurry the process of widening the gas supply system. The voters voted for the measures in the Bill and the motion is needed to put this into effect.

My last question is: do we really need to debate timetable motions such as this? It is open to the Government to produce a timetable motion and it is up to the Opposition to debate the motion if there is intense public interest in the issue. On the basis of the Opposition attendance today, that interest is a disgrace.

5.37 pm

Mr. Gordon Wilson (Dundee, East): If Conservative Members once again go into Opposition they have shown their ability to procrastinate. We may see future guillotine motions in which they will hold the opposite view. The interesting thing about these debates is that whenever there is a change of Government it does not seem to change the speeches. Both Government and Opposition speeches are always the same.

I have held the view since my first faltering days in the House that it would be desirable for all Bills to be timetabled from the beginning. I have gone further than that since then, having heard a number of timetable debates, and having come to the conclusion that they, too, ought to be guillotined at the outset. Taking up the point of the hon. Member for Gosport (Mr. Viggers) I should have thought that a vote on guillotine motions would have been sufficient.

With regard to this timetable motion I enter a few caveats. To begin with, we are considering a timetable motion, as we normally do, when we are only about a third of the way through the Bill, with only about 20 per cent. of the time left for debating it. So if there had been a timetable motion at the start, there would have been a possibility of dividing the time available for debate between its different parts. The problem is how to fix the

time for such a motion. I would think that, depending on the complexity of the Bill, and its length, it could be safely left to the Clerks, on the basis of precedents, to fix a suitable time. I think that all parties would accept that. In one way or another, debates on timetable motions turn out to be parliamentary scandals. They are a complete waste of time.

The question is whether the Bill should be guillotined at this stage. I take the view that, because of the unbalanced nature of debate that it would cause, it would be wrong, though if an overall timetable had been laid down in advance, with the right of sub-division of the time available, I should have voted for it.

I oppose a guillotine in this instance because I do not believe that the Government can get round the absence of the articles of association. They may argue that they have set out the main terms of ownership in speeches, but Oppositions are entitled to see the text that is likely to be subject to eventual construction or adoption. It should be stressed that we did not demand the final glistening text, which is to be produced by the team of lawyers who are alleged to be crawling over it. We would have been prepared to accept a broad draft, especially as it affected the main clauses of the Bill. There is no doubt that the absence of the articles of association caused a protraction of the Committee's debates on clauses 1, 2 and 3.

Then we have to consider the nature of the Bill. Whereas the Petroleum and Submarine Pipe-lines Act 1975 dealt with the oil industry, this measure deals with two industries—the oil industry and the gas industry.

In a way, the privatisation of the British National Oil Corporation is relatively simple, though highly controversial. But for the British Gas Corporation we have a proposal for privatisation that has side effects on the supply of gas. The breaking of the monopoly of the BGC is again a complex and controversial aspect. The use of pipelines is a matter that should be discussed in detail, bearing in mind that members of the Committee have received representations from the National Farmers Union about it. It is worried that a proposal of this kind could lead to a duplication or replication of pipelines. There are interests other than those of oil and gas consumers who are concerned about that.

Petroleum production licences form a relatively minor part of the Bill, but offshore activities and safety matters are subjects on which we could have spent a considerable and useful amount of time.

If the Government's proposal were only to limit the Committee stage of the Bill, that would have conditioned my attitude to the guillotine motion. I should have wanted to make sure that we had a great deal of time available to discuss the important aspects of safety, in view especially of the serious accidents that have occurred during the past two years. We want to make sure that the incidence of accidents is lessened, by having the opportunity to discuss the safety considerations more fully. I am sure that Government supporters share my worry about what might happen if we did not make sure that our safety regulations were adequate to deal with the problem, especially in the very exceptional weather conditions that can be encountered.

I do not wish to say a great deal more, because I have said that my opposition to the motion is based on the fact that the time available for discussion will be unbalanced and that we have a great many more important matters to discuss.

In my view, at least one representative of the smaller parties should be included on the Business Committee, so that there is a degree of consultation at that level about what is discussed in the Bill. There are precedents for that. The Standing Committee has two minority party representatives on it. In my view, at least one of those should be included on the Business Committee.

I do not intend to rehearse that controversial nature of the Bill or to go through its text. We have done that in Committee and we hope that on Report and during what remains to us of the Committee stage we shall do so again. However, the Bill—the earlier part of it especially—represents a very important measure to hon. Members who represent Scottish constituencies. It puts at risk a great many jobs in Scotland. As a Scottish Member, I should have felt that I had not done my duty in the Standing Committee if we had not tested the Government's intentions about the protection of the jobs at present made available through BNOG.

5.45 pm

Mr. Archie Hamilton (Epsom and Ewell): It is a matter of great sadness to me that I am not a member of the Standing Committee that is considering the Bill. I was Parliamentary Private Secretary to the present Secretary of State for Transport, who, at the Department of Energy, played a leading role in producing the Bill. It would have been a great pleasure for me to play a role in steering the Bill through its Committee stage.

We have heard that the Committee has had 70 hours of debate and 17 sittings and is still only a short way through the Bill, having considered only the provisions that deal with the British National Oil Corporation. That being so, the discussion has been extensive, to put it mildly, and I feel that perhaps there is a degree of hypocrisy on the part of Opposition Members when they talk about the measure not being properly discussed. By all accounts it is good-natured hypocrisy, but it is hypocrisy all the same.

I support the motion. It is vital that the Government get the Bill through the House. It is probably one of the most important Bills that will be passed in this Parliament. The Government were elected on a manifesto that spoke of "rolling back" the State, and the Bill is one of the most significant pieces of denationalisation to be carried out by the Government and it is one of which we shall be very proud in the future.

When we come to consider the British National Oil Corporation, we have to remind ourselves that the development of the North Sea and its oil resources was a triumph of private industry. In practice, the early work done on it owed almost nothing to the then Government other than that the Secretary of State at the time farmed out certain blocks and told people that they could explore them. From there, all that the British National Oil Corporation did was climb on the backs of the private oil companies, leech them and build up its influence purely on the success of the private oil industry.

Mr. Cunliffe: Will the hon. Gentleman be congratulating and paying tribute to the private developers in the North Sea and at the same time commending the British Gas Corporation for its skill, enterprise, initiative and ingenuity? Does the hon. Gentleman agree that it is a poor reward for the BGC's success to hive off all the hard and dedicated work that it has put in and to sell off an asset that it produced through its own initiative, backing and flair for that kind of work?

Mr. Hamilton: We are discussing two separate organisations—BNOG, which commands a very small amount of North Sea oil reserves, and the British Gas Corporation, which is a monopoly, which has monopoly rights to sell to everyone in the country, and which has also managed to organise matters so that it has complete monopoly rights over all the gas that it buys. The hon. Member for Leigh (Mr. Cunliffe) cannot compare the one organisation with the other. We have to ensure that both of them end up in the private sector, where they are subjected to competition, which is the only way in which we can guarantee that the British taxpayer will not at some stage be asked to fork out because, for some mysterious reason, or because of political interference, they start making losses. I am delighted that the corporation will be returned to the private sector and that we shall have another independent company operating in the North Sea.

Mr. Myles: My hon. Friend spoke of the possibility of the corporation becoming unprofitable. We hear a great deal from the Opposition about the Government selling off profitable companies to private industry. I have put the question to Opposition Members in Committee, but so far no one has answered it. What was the criterion for nationalising an industry? Was it to provide a service to the public which was not being done profitably in private hands, or was it to get a profit, which the Opposition seemed to think that it was?

Mr. Hamilton: My knowledge of Socialist politics and history is relatively limited, but the initial idea always seems to be that somehow it is possible to give this great service to the public and make a profit at the same time. Of course, the chances to make a profit were soon thrown away, and the taxpayer, basically, had to carry the burden. Then the service to the public bit the dust, as the monopoly unions which invariably control these industries started taking their grip of the situation. In the end, the taxpayer was having to find vast sums of money to bail out monopoly unions, which had none of the controls of the market place and thus no incentives to become more efficient. The taxpayer was always there to pay the bill. There is no better example of that today than the mining industry, which has great powers. The taxpayer invariably ends up paying for the inefficiencies of that industry, and about £1,000 million a year seems to be more than enough.

It will be possible for the British National Oil Corporation to expand in a way that was not possible in the past, once it is back in the private sector. There were people in the corporation who initially may have thought that a cosy relationship could be had by being under Government control. That all changed dramatically at the time of the development of the Clyde oilfield, which BNOG wanted to bring on stream as a natural extension of its trading activities. The corporation had to go to the Treasury, which said: "We are sorry, your commercial and trading interests take second place to the Government's cash flow and the public sector borrowing requirement. So you cannot have the money that you need to develop the oilfield. The money will come on stream two years later than you have asked for it."

It was at that moment in the life of BNOG that it realised that it did not make any difference whether it was making money or whether it was not making money—ultimately, the Treasury was there controlling every investment that it made. How could a major

international oil company—which I sincerely hope that BNOG will become and is now on the way to becoming—have to go back to the Government all the time and ask whether it could invest in new fields and build new rigs? It is encouraging that BNOG is making incursions into overseas markets and other areas, but it does so in the confidence that it will be in a position to go to the private sector for finance. If it has to come hobbling back to the Treasury, with all the ups and downs of public sector spending, and so on, its growth will be inhibited, as will its chances of employment, about which the hon. Member for Dundee, East (Mr. Wilson) expressed such concern.

Viscount Cranborne: While my hon. Friend is on that subject, would he care to speculate about whether it would be any easier for BNOG to explore for oil in foreign countries if it were an independent company rather than a creature of the British Government?

Mr. Hamilton: There is definite evidence that it would be much easier for BNOG to operate in those circumstances. Also, of course, it would be much easier to co-operate and become part of consortia, with other oil companies. I gather that BNOG is now doing that.

I have no great faith in politicians. I say that in a non-partisan way. I do not believe in the capacity of politicians of any colour to run industries. I have yet to meet any political party which does not believe that it is in the national interest to win the next election. In profitable industries under public control there is a great tendency or temptation to invest in certain areas—where there are marginal seats, for instance—which may have no commercial benefit but which may swing a marginal seat. I could see future Governments seriously considering whether BNOG should invest in refineries, ignoring the enormous over-capacity of refineries in this country. That would be unlikely to worry politicians. I could even see them starting to sell petrol in filling stations if it were thought that that would fulfil some short-term political ambition. It is, therefore, a healthy trend to remove the companies from the influence of Government interference.

Then there is the past record of BNOG. It was used by the Labour Government as a tool to interfere and play a tiresome role in the North Sea with other companies on the operating committees, and so on. That was bitterly resented at the time. That will not happen again if we privatise the company, and it is something for which we should all be grateful.

There was a great cry about us losing control of oil from the United Kingdom continental shelf. That is nonsense, because for our landing rights—all our North Sea oil has to be landed in the United Kingdom—the 51 per cent. participation options exercised by BNOG will come under Government control. That gives us control of about 1.3 million barrels per day. On top of that, there has always been reserve emergency legislation to enable the Government to take complete control of all oil produced anywhere around these shores in the event of war or anything of that nature. So it is nonsense to pretend that the Government are losing control of North Sea oil reserves. There is nothing whatsoever to support that contention.

We have a good precedent to go on, in that the Labour Government, as my hon. Friend the Member for Watford (Mr. Garel-Jones) reminded us, sold shares in British petroleum. That Government had good reasons for doing

so at the time. The International Monetary Fund was on their backs, and the Government had to raise money because the country was in severe debt. Indeed, I hope that the remaining 49 per cent. of BNOG may come under the same pressure at a later stage. It is rather nice that Governments of the future will have cushions of shares in oil companies which they can sell in times of stress. The right hon. Member for Bristol, South-East (Mr. Benn) was Secretary of State for Energy at the time when the BP shares were sold. It is interesting to see how Opposition has changed a man who was capable of moderate deeds such as that but who is capable of such thoroughly immoderate words and actions today.

Then there are the oil interests of the British Gas Corporation. In my view, it was a great tragedy that the chairman of the British Gas Corporation was given the opportunity to create a separate subsidiary of those oil interests which the British Gas Corporation employees could have continued to manage, thus keeping control. It would have been possible to float a separate oil company worth about £500 million, including, of course, the Wyth Farm interests and other BGC interests. It would have preserved employment in the BGC, which did not seem to matter very much to the chairman of the BGC, and it would have created a new independent British oil company.

I am sure that all hon. Members would see that as a good objective because, by comparison with the United States, we in this country still have few oil companies. It would have given us another oil company, opened up the market place and introduced a healthy element of competition. However, for some reason, the BGC considered that that was not desirable or possible. The chance was missed. The oil interests of the BGC will probably now be sold off piecemeal, and the great opportunity to give the managers and employees of the BGC a continuing role in the oil industry and create a new, separate oil company has been missed. It only goes to show the shortsighted attitude of the BGC, which is most regrettable.

We shall see the breaking of the gas monopsony, a matter of great importance. At present, the BGC has the sole buying rights of all gas supplies from the North Sea. It has many effects on production, not the least of which is that people have been discouraged from producing further reserves of gas. Indeed, by now we should probably have had a private gas-gathering line which would have been financed by international oil companies. I am sure that that would have happened if the BGC had paid a slightly higher price for its gas. As a result of its monopsony powers the production of gas has been depressed and many international oil companies have chosen to leave their gas reserves in the ground because of the poor price paid by the BGC after extraction.

The most exciting aspect of the legislation is the breaking of BGC's monopoly on selling gas to the public. We must all look forward to that because, if one of our major energy enterprises is denationalised, that will represent a great breakthrough. The Opposition accuse the Government of creaming off the profits or of guaranteeing that prices will increase. However, they cannot have it both ways. Either enormous profits will be creamed off by private industry, or competition will lead to a reduction in prices. We should all welcome that and, in addition, British industry would benefit.

6 pm

Mr. W. E. Garrett (Wallsend): The hon. Member for Epsom and Ewell (Mr. Hamilton) implied that he would have liked to have been a member of the Committee. However, having listened to his dull and boring speech, I am glad that he was not a member. He does not match up to the humour and knowledge of other Conservative Members and should have made his points in a less dogmatic and more humanitarian manner.

The Leader of the House did not show much enthusiasm for the motion and his approach was low key. I think that he felt that justice was not being done. In the three or four minutes allocated to me, I hope to show that the guillotine motion has been introduced too early. The Bill has 36 clauses. The first nine clauses on the oil industry and related forms of energy have been dealt with. Indeed, I concede that far too much time was spent on those clauses. At one time, Committee members felt that they were members of the Scottish Grand Committee because those representing Scottish constituencies made such long interventions.

However, two-thirds of the Bill remains to be discussed and those provisions relate to the gas industry. There is tremendous meat in the remaining clauses. The Secretary of State should consult his colleagues about precedents. In terms of political philosophy a parallel can be drawn with the Labour Government's decision to nationalise British Shipbuilders and British Aerospace. The two companies were covered by one Bill. On that occasion, the guillotine was not imposed until the Committee had sat for many more than 17 sittings. Indeed, I believe that it took 56 sittings to complete discussion of the Bill. Almost to the end, we were allowed to debate fully the most controversial matters. In Opposition, Conservative Members used their time wisely and fought as they thought right, according to their political principles.

There are still 24 or 25 clauses of this Bill to be debated. Much more time could have been allocated to some of the very serious issues. As the Minister knows, some of the remaining clauses are more technical than political. It might have been better for us all if we had been able to debate the political content of some of the remaining clauses. It may well be that some of my hon. Friends' tactics were unwise and that we made an error of judgment in concentrating too much on the energy and oil provisions. However, that is in the past. Given that we have discussed 10 clauses in three weeks, we should have been allowed at least another three weeks—or another 12 sittings—before the imposition of a guillotine.

We must think ahead. The threat of a guillotine hangs over two other Committees. It would be bad to curtail political debate too much. The Secretary of State is a man of strong political feelings. Before he became a member of the Cabinet, he expressed them fairly, honestly, vigorously and determinedly. Other hon. Members would also like the opportunity to express their views similarly. It is not always possible to put across views on the Floor of the House. Some hon. Members are not very good at debating on the Floor of the House, but are brilliant in Committee. It is a shame to deny their expertise and knowledge by imposing a guillotine. Ultimately, we must try—across the political spectrum—to reach a fair solution to political problems.

The guillotine motion is a very unsatisfactory device and I deplore it. Sooner or later—perhaps not in my

[Mr. W. E. Garrett]

time—the House must find an alternative. If we do not do so, we shall continue to deny the principles of democracy to which we are all pledged. The Leader of the House should be made fully aware that, despite the lack of fury and vigour in the debate, there is a feeling that the system is unsatisfactory. Indeed, the right hon. Gentleman would do both himself and the Government credit if he were to initiate a procedure—through the usual channels—to eliminate the present method of cutting democratic discussion. I know that that is difficult and has been tried before, but I appeal to the Minister to convey my feelings to the Leader of the House at the end of the debate.

6.6 pm

Mr. Merlyn Rees (Leeds, South): I certainly sympathise with my hon. Friend the Member for WallSEND (Mr. Garrett). I also sympathise with the hon. Members for Devon, North (Mr. Speller) and Banff (Mr. Myles)—who are both new to the House—who questioned the way in which we deal with Bills. The Committee was good natured and, at times, amusing. We learnt a great deal. Today, no one is listening and nobody cares, and sometimes we clap ourselves to death. Standing Committees are useless for discussing industries, whether publicly or privately owned. The public do not listen to our debates, although they are reported in *Hansard*. Many of my constituents are miners and steel workers and when I tell them that I have been up all night, they say "You must be daft." We are daft, but we will not do anything about it.

The hon. Member for Banff asked a perfectly proper question about the reasons for public ownership. The hon. Member for Epsom and Ewell (Mr. Hamilton) asked a question, had a knock at the coal industry and cleared off. That is about it. Before the war, Imperial Airways was a publicly owned body. It was publicly owned—as I knew from my six years' service with the Royal Air Force—for a very good reason. There was a strategic link with the Gulf. Gas and electricity were nationalised for great technical rather than political reasons. The coal industry was a dead loss. Anyone who believes that it was a thriving industry should ask those who worked in it. The Germans nationalised their railways 100 years before us and Gladstone had a shot at nationalisation at least 140 years ago. The Conservative Party took Rolls-Royce into public ownership. It has not been nationalised and I do not know how it is run. It is never discussed in the House. No one should expect me to say that British Leyland is a great success and to genuflect towards it simply because it is 100 per cent. publicly owned.

There needs to be discussion about the public sector borrowing requirement, and so on. Now that the Government are following a policy of privatisation, we need to ask ourselves what is to happen if Britoil remains 49 per cent. publicly owned. It is useful to have 49 per cent. of the profits coming into the Treasury. There are various definitions of PSBR. I could put forward an argument for 51 per cent. public ownership. There will not be any real discussion as to how the firm will be run. We have argued that the pension funds should be used in industry. There will be a great deal of argument about that in the years to come, because that is where the capital comes from. It does not come from the little chaps who

are running around buying shares. There are 50,000 or 60,000 small shareholders in the country. If I hold shares, I suppose that I do so through insurance funds.

The idea of a voluntary timetable is a very good one. I remember what happened the last time we had minority Government. If the press is right—usually it is wrong—we might well be moving into a period of minority Government. In those circumstances, it is perfectly respectable to argue about the use of time, but it is not respectable in relation to a Bill of this nature.

We cannot ignore the policy of privatisation, which is part of the general policy of the Government. The Government have had approval of the Bill on Second Reading and they have every right to protect the legislative programme. Right from the beginning, the assumption was that at a certain time we would move to a guillotine. That is what we have all said when we have had a cup of tea outside the Committee Room.

The Minister of State answered questions very fully. If I had answered questions at that length when I was a junior Minister, senior Ministers would have told me to shut up. They would have said "It is not your job to open up every aspect of every question." I congratulate the Minister on the way in which he answered questions. Only once did he get involved in trumpeting about what he thought the Opposition really believed in, and that took only about two minutes. He joined my hon. Friends in debating Scottish matters, such as the smelter at Invergordon. That was perfectly proper, because they were important issues. Never once did the Government try to curtail discussion. Never once did they move the closure. If I had been leading in the Committee I would have moved the closure—and moved it quickly. When the hon. Member for Bedford (Mr. Skeet) moved the closure, the Government voted against it. The best thing that could have happened would have been to have a closure.

The nature of the Bill was revealed on Second Reading, when I suggested that there would be a long Committee stage. I asked for information on BNOC and British Gas. I believe that last Wednesday several hon. Members had a useful briefing from British Gas, and that BNOC also provided information. The Minister of State promised that he would give us a bundle of information about safety factors in the North Sea, but we have not had it. [Interruption.] Apparently, it is on its way, now that we have the guillotine. It was not available previously. We require a great deal of information on safety. I talked about a safety charter. It is a very important question, especially in view of the nasty Canadian accident. We have to find a means of giving the question a great deal of time.

We have emphasised the lack of satisfactory parliamentary procedure. Where there is accountability, it is done by negative resolution. I have argued that point in Committee, so I shall not go through it again.

We were given no information about the sale of the oil interests of British Gas. We were told that the Government do not yet have the information. If the British Gas Corporation or BNOC act in such a way that the Secretary of State does not have to intervene, there will be no further procedure in any shape or form. [Interruption.] It is suggested that the articles of association do not matter, but when industries are taken into public ownership there are provisions in the relevant Bills for the way in which the industries are to be organised.

With regard to the splitting up of BNOC, we were informed that there was near unanimity in the advice to

keep an integrated firm. We were told that the merchant banks advised it. We were told about the crucial need for the effectiveness of the trading arm. We have not had any real explanation of these matters. We were told that the Government had changed their mind on the membership of the trading arm during the passage of the Bill.

We made a meal of the articles of association, and well we might have, because they should have been supplied earlier. We have got them now that we have finished the discussion of the part of the Bill dealing with oil. We have one and a half days for discussion on the Floor of the House.

How is the firm to be controlled? I have not the faintest idea of the role of the Government directors. I have not the faintest idea what the two chaps do on BP. If they are there with their fiduciary responsibility, what are they supposed to do? They are appointed by the Government. There were special aspects of the De Lorean venture, in which I am interested, in view of my past knowledge of Belfast. There are things that I would have done in a different way, but it has to be remembered that at one end of Belfast there were people who had never worked in their lives.

The Secretary of State says that he wants to keep Britoil British. We have not heard very much about how that is to be done. His words on Second Reading could mean one thing or another, but apparently the problem relates to the law and to the EEC.

The Secretary of State has said that he is not sorry about the way in which he sold Amersham International. Incidentally, I think that it is a good idea to let the people employed in the firm have shares. In the case of British Aerospace, there was a speculative gain of 10 per cent., with Cable and Wireless there was a gain of 20 per cent. With Amersham it was a 30 per cent. gain. With Britoil, a 10 per cent. error could be worth £150 million. Therefore, it is perfectly proper for this House to discuss the method of selling.

If the Government want to have privatisation, it is not something to be discussed simply on the back pages of the *Financial Times*. It is not sufficient to give vague supplementary figures. What on earth is the use of that sort of information? As I said in Committee, there are people on my side of the divide in politics who say "We can nationalise with a one-clause Bill. We do not need parliamentary procedure."

We have no information as to the date of sale. I suppose that the Secretary of State has to box clever on that, but if the Government are to proceed with privatisation, the Bank of England—which is the national bank, in a curious sense of the term—should have a small merchant bank attached to it. It would be very much better if such a bank were to handle the matter. I am not particularly interested in arguing about who gets money from whom. We know that the City puts a lot of money into the Conservative Party. We know that centrally the Labour Party gets money from the trade unions. But it would be better for the body politic if the people who pay money into the Conservative Party were not involved in this Bill. The Conservative Party would be the first to jump in if the trade unions were involved. The matter is picked up by people outside the House who build it up into something that it is not. We should also examine that matter.

I would have been quite happy, as would my hon. Friend the Member for Dunfermline (Mr. Douglas), who has played a leading part in running the Bill, to discuss from the beginning how we would sort it out. I believed

that it needed a Select Committee procedure. The guillotine motion or the discussion today should not be just another party game. The Government are selling off a successful oil company which in its integrated form can, as the Canadian company, talk to foreign Governments. I accept fully that the major role in North Sea oil extraction has been played by foreign oil companies which have brought their expertise to Britain. They have trained people in Scotland. In the few times that I have been to Aberdeen, I have seen that those companies play a major part. However, the Government are funding the training at BNOC in a different way from that envisaged in the original Bill.

The gas corporation has been a successful monopoly. It is an integrated company which is the envy of the world. The chairman of another nationalised industry—I use the word "nationalised" advisedly—said that the Government have a vendetta against nationalised industry. If I have said that before it is because the matter is on my mind. I lunched recently with a French banker and a German banker who have come to live in Britain. They are astonished that the national sport is knocking the public sector. I understand that when trains are late people say "It is a nationalised industry". However, unless we put our minds to the running of the nationalised industries, the way the capital is injected into them and the management training, they will not add to anyone's comfort.

The large private monopolies are similarly internally to the nationalised undertakings. As I said in the debate a few months ago, I do not genuflect as I pass Hobart House or the headquarters of the CEEB, and I do not regard those companies as "Socialism" in the modern sense of the word. They are State monopolies which we should examine and question in exactly the same way as private monopolies.

Mr. Garell-Jones: What about your reselection?

Mr. Rees: I have been reselected with no other nominations. I have said these things up hill and down dale. The people who work in those industries know that I am talking sense and vote accordingly.

We have spent three hours on the guillotine motion. We could have done it in a different way. There is much expertise on the Committee. My hon. Friend the Member for Dunfermline has great knowledge of the oil industry and adds stature to the Committee. I am against the motion because what the Government seek could have been achieved in another way, but I shall not join in the ritual game of saying that guillotine motions are always wrong. They are sometimes right. We could have had a sensible discussion on the matters. However, I ask my right hon. and hon. Friends to vote against the motion, for what good it will do them.

6.23 pm

The Secretary of State for Energy (Mr. Nigel Lawson): The right hon. Member for Leeds, South (Mr. Rees) has addressed the House in the thoughtful and moderate tones to which we have become accustomed in Committee. It was a welcome contrast to the synthetic indignation to which we were treated at the beginning of the debate by the right hon. Member for Deptford (Mr. Silkin). One point made by the right hon. Member for Leeds, South corrected a totally false impression given by the right hon. Member for Deptford when he accused the

[Mr. Nigel Lawson]

Government Front Bench—my hon. Friend the Minister of State has carried most of the heavy burden in Committee—of taking up too much time. That is nonsense. Time was taken because careful answers were being given to genuine points put by the Opposition Front Bench and Opposition Back Benchers. Not to do that would make a farce of the Committee stage. I hope that the right hon. Gentleman will withdraw any charge—

Mr. John Silkin: If the Secretary of State reads *Hansard* to morrow he will find that that is exactly what I said.

Mr. Lawson: I am aware of the charge that the right hon. Gentleman made, but it has been answered by his right hon. Friend the Member for Leeds, South.

The right hon. Member for Leeds, South also referred, perhaps in a musing or philosophical way, to the difficulty that the House always has when debating commercial and financial matters. There is a difficulty. Even if industries remain wholly State owned, we cannot run them in Parliament. It would be absurd to try to do so, yet we have genuine concerns about the way in which they are run and their effect upon the national economy. One reason behind our preference to have as many industries in the private sector as possible, and exposed to competition wherever possible, is the acute difficulty, even with the best will in the world, of achieving some sort of political framework for the essential commercial, industrial and financial decisions.

That the Bill is of the first importance has been agreed by hon. Members on both sides of the House on many occasions, not least today. The Opposition have made it clear that they intend to oppose the Bill by every means within their power. One may recall what was said by the right hon. Member for Bristol, South-East (Mr. Benn) when he spoke from the Dispatch Box for the official Opposition on the one occasion that I can remember during this Parliamentary session.

The right hon. Gentleman said:

"The Government's proposals . . . will be bitterly resisted by the Labour Party and the trade union movement, both inside and outside Parliament."—[*Official Report*, 10 November 1981; Vol. 12, c. 494.]

The means available include delay, which, given its head, could prevent the Bill from coming on to the statute book. No Government could possibly accept that.

The right hon. Member for Deptford said that we were incompetent because we did not have the Second Reading until 19 January. The equivalent measure, as my right hon. Friend the Leader of the House said—the Petroleum and Submarine Pipe-lines Act 1975—did not have its Second Reading until 30 April. That was guillotined. The right hon. Gentleman said that we had introduced the guillotine on this Bill when the progress made was far too rapid to justify a guillotine. I have considered what we are doing. In 70 hours of discussion we have discussed only 11 of the 36 clauses, which is about 30 per cent. For the Petroleum and Submarine Pipe-lines measure a guillotine was introduced after only 60 hours of debate during which 19 clauses had been completed—40 per cent. of the Bill—which was much greater progress. By the yardstick of what the right hon. Gentleman did when in office and the guillotine on the 1975 Bill, we have allowed much more time and waited longer before deciding that it was inevitable, sadly, that a guillotine should be introduced.

The guillotine motion on the Petroleum and Submarine Pipe-lines Bill was proposed not by the then Leader of the House but by the Secretary of State for Energy, the right hon. Member for Bristol, South-East. He said that

"the case for timetable motions on the part of whatever Government happen to be in power is that, where a major Bill in the main programme is likely to be lost through undue delay . . . for whatever reason, the Government are bound to turn their mind to means by which the Bill can be brought back to the Floor of the House to have its Report and Third Reading."—[*Official Report*, 7 July 1975; Vol. 895, c. 112-13.]

That is the argument that always applies. It was a fair argument then, as it is now. It is sheer hypocrisy to chop and change and to say that we cannot possibly have a guillotine because it is a defiance of all that this Parliament stands for.

Opposition Members have sought to inject a new element into the debate. Among those who have done so is the right hon. Member for Greenock and Port Glasgow (Dr. Mabon) who made great play of the fact that, somehow or other, debate is rendered impossible because Britoil's articles of association will not be available to the Committee until later this week. That does not begin to stand up to a moment's examination. Most of the issues in the amendments tabled by the Opposition have nothing to do with the contents of the articles of association. The amendments deal with the way in which the scheme-making powers will be used, the valuation of Britoil and BNOC assets, the way in which parliamentary accountability can be satisfied, BNOC's capital structure after privatisation, and wider matters such as the implications for employment in Scotland and the merits of participation agreements.

Those and other matters have been the subjects of Opposition amendments. I make no complaint, but Britoil's articles of association have no bearing whatever on such matters. I explained clearly on Second Reading the provisions on control, so that objection does not stand up to examination.

A number of Opposition Members have suggested that it would be better to have a voluntary timetable from the beginning or from an early stage. I hope that hon. Members who are in favour of timetable motions will behave logically and support the timetable motion in the Lobby.

In view of one or two exchanges earlier on the question of a voluntary timetable, I remind hon. Members of the Committee's all-night sitting on 23 February. We began at 4.30 in the afternoon and did not finish until 7.20 the following morning. It was a long and arduous all-night sitting. We tried to make progress but we made very little and got through only two-and-a-half clauses. During the night the right hon. Member for Leeds, South came to me in the Corridor and said "Is this not a lot of nonsense? Can we not do without an all-night sitting?" I said "We can do without an all-night sitting provided that you can give me a date for the ending of the Committee stage." He said that he could not do that. That was fair. I made him the offer, and the opportunity for a voluntary timetable was there.

Mr. Merlyn Rees: But then I said "Is this not a daft way of discussing the Bill? Can we not finish at 2 am or 3 am?" I could not, in the middle of the night give the right hon. Gentleman a finishing date. If he had made a suggestion I could have contacted my hon. Friends and discussed it the following day. We were not discussing a

voluntary timetable. I was asking whether it was possible to finish at 2 am or 3 am instead of sitting all night. We could have done that with the same results.

Mr. Lawson: The fact is that the right hon. Gentleman did not respond to the offer. I know that it was difficult for him because of his difficulty in controlling his hon. Friends. That was evident in the Committee. I understand why he did not respond, but the offer was made.

The Committee has been good humoured. Hon. Members on both sides have testified to that. It is wholly satisfactory and I am happy that that is how it has been, but all good things must come to an end—even Standing Committee E. The Bill must be put on the statute book. In the motion we offer a fair and reasonable timetable. It allows reasonable time not just for a continuation of the discussion on the gas provisions, but for discussion on the important safety provisions for operations in the North Sea. It is important that they should be discussed, and the timetable arrangement will enable that.

The hon. Member for Dunfermline (Mr. Douglas) knows how I hate to omit to mention him, because he plays such a large part in our counsels upstairs. He suggests that the Bill is not needed at present because falling oil prices mean that we shall no longer want to go ahead with the privatisation of Britoil. I disagree. It is essential to be able to sell the shares in Britoil whenever the market conditions are right. We must achieve fair value for the taxpayer. There is no case for delay, nor is there a case for going slow on the breaking up of the monopoly and monopsony of the British Gas Corporation, because they are contrary to the interest of the British economy, British industry and the British people.

We are talking about value to the taxpayer. Some of my hon. Friends mentioned the sale of a large shareholding in British Petroleum by the last Government. The value of that company moved up substantially from what the Government received. In 1977, when that happened, the difference was £50 million—or £90 million at today's prices. Silence on that matter by Opposition Members might be sensible.

I am sure that Opposition Members do not wish to delay the implementation of the vital safety provisions. My right hon. Friend the Leader of the House has given details of the slow progress in Standing Committee E, in spite of the good spirit and good humoured nature of our debates and some of the good points made by Opposition Members. We had high hopes of making satisfactory progress without a guillotine, but our hopes were disappointed, as anybody who attended the Committee will appreciate.

Anybody who heard the engaging speech today by the hon. Member for Rother Valley (Mr. Hardy), a member of the Committee, will understand even more vividly why we need a guillotine if we are to conclude proceedings on the Bill.

I do not complain for a moment that the Opposition are not doing their job properly. They are in favour of monopoly and the State ownership of industry. They believe it right to put their views forward. They believe that they should oppose private enterprise, private initiative and competition. However, there must be a limit in time to the expression of their opposition. They have made it clear that they would prefer the Bill to be lost. We should have liked to complete the Committee stage by now, but we accept that we cannot have everything our own way. We must strike a balance between the two

views. We have already debated the Bill in Committee for the best part of 70 hours. The further time allocated in the motion brings the time to about 110 hours. That is a reasonable compromise by any standards. I hope, therefore, that the House will accept the motion.

We have heard a great deal of synthetic indignation from the Shadow Leader of the House, the right hon. Member for Deptford. He was conspicuously deserted by his Back Benchers. Indeed, the Opposition Benches have been pretty well empty throughout the debate. That tells its own story far more clearly than any words of mine, or of anybody else. I commend the motion to the House. I hope and believe that from now on we shall be able to scrutinise the Bill's remaining provisions properly and fully, as we were elected to do.

Question put:—

The House divided: Ayes 284, Noes 226.

Division No. 84]

[6.40 pm

AYES

Adley, Robert	Dickens, Geoffrey
Aitken, Jonathan	Douglas-Hamilton, Lord J.
Alexander, Richard	Dover, Denshore
Alison, Rt Hon Michael	du Cann, Rt Hon Edward
Amery, Rt Hon Julian	Dunn, Robert (<i>Dartford</i>)
Aspinwall, Jack	Durant, Tony
Atkins, Robert (<i>Preston N</i>)	Dykes, Hugh
Baker, Kenneth (<i>St. M'bone</i>)	Eden, Rt Hon Sir John
Baker, Nicholas (<i>N Dorset</i>)	Edwards, Rt Hon N. (<i>P' broke</i>)
Banks, Robert	Eggar, Tim
Beaumont-Dark, Anthony	Elliott, Sir William
Bendall, Vivian	Eyre, Reginald
Bennett, Sir Frederic (<i>T' bay</i>)	Fairbairn, Nicholas
Benyon, Thomas (<i>A' don</i>)	Fairgrieve, Sir Russell
Benyon, W. (<i>Buckingham</i>)	Faith, Mrs Sheila
Berry, Hon Anthony	Farr, John
Best, Keith	Fell, Sir Anthony
Biffen, Rt Hon John	Finsberg, Geoffrey
Biggs-Davison, Sir John	Fisher, Sir Nigel
Blackburn, John	Fletcher, A. (<i>Ed' nb' gh N</i>)
Body, Richard	Fletcher-Cooke, Sir Charles
Bonsor, Sir Nicholas	Fookes, Miss Janet
Bottomley, Peter (<i>W' wich W</i>)	Forman, Nigel
Boyson, Dr Rhodes	Fowler, Rt Hon Norman
Braine, Sir Bernard	Fox, Marcus
Bright, Graham	Fraser, Rt Hon Sir Hugh
Brinton, Tim	Fraser, Peter (<i>South Angus</i>)
Brittan, Rt. Hon. Leon	Fry, Peter
Brooke, Hon Peter	Gardiner, George (<i>Reigate</i>)
Brotherton, Michael	Gardner, Edward (<i>S Fylde</i>)
Brown, Michael (<i>Brigg & Sc'n</i>)	Garel-Jones, Tristan
Bruce-Gardyne, John	Gilmour, Rt Hon Sir Ian
Bryan, Sir Paul	Goodhart, Sir Philip
Buchanan-Smith, Rt. Hon. A.	Goodhew, Sir Victor
Buck, Antony	Goodlad, Alastair
Budgen, Nick	Gow, Ian
Bulmer, Esmond	Grant, Anthony (<i>Harrow C</i>)
Burden, Sir Frederick	Gray, Hamish
Butcher, John	Greenway, Harry
Cadbury, Jocelyn	Griffiths, Peter (<i>Portsm'th N</i>)
Carlisle, John (<i>Luton West</i>)	Grist, Ian
Carlisle, Kenneth (<i>Lincoln</i>)	Grylls, Michael
Chalker, Mrs. Lynda	Gummer, John Selwyn
Channon, Rt. Hon. Paul	Hamilton, Hon A.
Clark, Hon A. (<i>Plym'th, S'n</i>)	Hamilton, Michael (<i>Salisbury</i>)
Clark, Sir W. (<i>Croydon S</i>)	Hampson, Dr Keith
Clarke, Kenneth (<i>Rushcliffe</i>)	Hannam, John
Clegg, Sir Walter	Haselhurst, Alan
Cockeram, Eric	Hastings, Stephen
Cope, John	Havers, Rt Hon Sir Michael
Cormack, Patrick	Hawkins, Paul
Corrie, John	Hawksley, Warren
Costain, Sir Albert	Hayhoe, Barney
Cranborne, Viscount	Heath, Rt Hon Edward
Critchley, Julian	Heddle, John
Crouch, David	Henderson, Barry
Dean, Paul (<i>North Somerset</i>)	Heseltine, Rt Hon Michael

Higgins, Rt Hon Terence L.	Parkinson, Rt Hon Cecil	Watson, John	Young, Sir George (<i>Acton</i>)
Hill, James	Parris, Matthew	Wells, John (<i>Maidstone</i>)	Younger, Rt Hon George
Hogg, Hon Douglas (<i>Gr'th'm</i>)	Patten, Christopher (<i>Bath</i>)	Wheeler, John	
Holland, Philip (<i>Carlton</i>)	Patten, John (<i>Oxford</i>)	Whitney, Raymond	Tellers for the Ayes:
Hooson, Tom	Pattie, Geoffrey	Wickenden, Keith	Mr. Robert Boscawen and
Hordern, Peter	Pawsey, James	Wiggin, Jerry	Mr. Carol Mather.
Howell, Rt Hon D. (<i>G'ldf'd</i>)	Percival, Sir Ian	Wolfson, Mark	
Howell, Ralph (<i>NNorfolk</i>)	Peyton, Rt Hon John		
Hunt, David (<i>Wirral</i>)	Pollock, Alexander		
Hunt, John (<i>Ravensbourne</i>)	Porter, Barry	Allaun, Frank	NOES
Hurd, Rt Hon Douglas	Prentice, Rt Hon Reg	Alton, David	Foster, Derek
Irving, Charles (<i>Cheltenham</i>)	Price, Sir David (<i>Eastleigh</i>)	Anderson, Donald	Fraser, J. (<i>Lamb'th, N'w'd</i>)
Jenkin, Rt Hon Patrick	Proctor, K. Harvey	Archer, Rt Hon Peter	Freeson, Rt Hon Reginald
JohnsonSmith, Geoffrey	Pym, Rt Hon Francis	Ashley, Rt Hon Jack	Freud, Clement
Jopling, Rt Hon Michael	Raison, Rt Hon Timothy	Ashton, Joe	Garrett, John (<i>Norwich S</i>)
Joseph, Rt Hon Sir Keith	Rathbone, Tim	Atkinson, N. (<i>H'gey,</i>)	Garrett, W. E. (<i>Wallsend</i>)
Kaberry, Sir Donald	Rees, Peter (<i>Dover and Deal</i>)	Bagier, Gordon A. T.	George, Bruce
Kellett-Bowman, Mrs Elaine	Rees-Davies, W. R.	Barnett, Guy (<i>Greenwich</i>)	Golding, John
Kimball, Sir Marcus	Renton, Tim	Barnett, Rt Hon Joel (<i>H'wd</i>)	Graham, Ted
King, Rt Hon Tom	Rhodes James, Robert	Benn, Rt Hon Tony	Grant, George (<i>Morpeth</i>)
Kitson, Sir Timothy	Rhys Williams, Sir Brandon	Bennett, Andrew (<i>St'kp'tN</i>)	Hamilton, James (<i>Bothwell</i>)
Knight, Mrs Jill	Ridley, Hon Nicholas	Bidwell, Sydney	Hamilton, W. W. (<i>C'tral Fife</i>)
Knox, David	Ridsdale, Sir Julian	Booth, Rt Hon Albert	Hardy, Peter
Lamont, Norman	Rifkind, Malcolm	Boothroyd, Miss Betty	Harrison, Rt Hon Walter
Lang, Ian	Rippon, Rt Hon Geoffrey	Bottomley, Rt Hon A. (<i>M'b'ro</i>)	Hart, Rt Hon Dame Judith
Langford-Holt, Sir John	Roberts, Wyn (<i>Conway</i>)	Bradley, Tom	Hattersley, Rt Hon Roy
Latham, Michael	Rossi, Hugh	Bray, Dr Jeremy	Haynes, Frank
Lawrence, Ivan	Rost, Peter	Brocklebank-Fowler, C.	Heffer, Eric S.
Lawson, Rt Hon Nigel	Royle, Sir Anthony	Brown, Hugh D. (<i>Provan</i>)	Hogg, N. (<i>EDunb't'nshire</i>)
Lee, John	St. John-Stevas, Rt Hon N.	Brown, Ron (<i>E'burgh, Leith</i>)	Holland, S. (<i>L'b'th, Vauxh'II</i>)
LeMarchant, Spencer	Scott, Nicholas	Callaghan, Rt Hon J.	HomeRobertson, John
Lennox-Boyd, Hon Mark	Shaw, Giles (<i>Pudsey</i>)	Callaghan, Jim (<i>Midd't'n & P</i>)	Homewood, William
Lester, Jim (<i>Beeston</i>)	Shaw, Michael (<i>Scarborough</i>)	Campbell, Ian	Horam, John
Lewis, Kenneth (<i>Rutland</i>)	Shelton, William (<i>Streatham</i>)	Campbell-Savours, Dale	Howell, Rt Hon D.
Lloyd, Ian (<i>Havant & W'loo</i>)	Shepherd, Colin (<i>Hereford</i>)	Carmichael, Neil	Hoyle, Douglas
Lloyd, Peter (<i>Fareham</i>)	Shepherd, Richard	Carter-Jones, Lewis	Huckfield, Les
Loveridge, John	Shersby, Michael	Clark, Dr David (<i>S Shields</i>)	Hughes, Mark (<i>Durham</i>)
Luce, Richard	Silvester, Fred	Cocks, Rt Hon M. (<i>B'stol S</i>)	Hughes, Robert (<i>Aberdeen N</i>)
Lyell, Nicholas	Sims, Roger	Cohen, Stanley	Hughes, Roy (<i>Newport</i>)
Macfarlane, Neil	Skeet, T. H. H.	Coleman, Donald	Janner, Hon Greenville
MacGregor, John	Speed, Keith	Conlan, Bernard	Jay, Rt Hon Douglas
Macmillan, Rt Hon M.	Speller, Tony	Cook, Robin F.	John, Brynmor
McNair-Wilson, M. (<i>N'bury</i>)	Spence, John	Cowans, Harry	Johnson, James (<i>Hull West</i>)
McNair-Wilson, P. (<i>New F'st</i>)	Spicer, Jim (<i>West Dorset</i>)	Craig, J. M. (<i>G'gow, M'hill</i>)	Johnson, Walter (<i>Derby S</i>)
McQuarrie, Albert	Spicer, Michael (<i>S Worcs</i>)	Crowther, Stan	Johnston, Russell (<i>Inverness</i>)
Madel, David	Sproat, Iain	Cryer, Bob	Jones, Rt Hon Alec (<i>Rh'dda</i>)
Major, John	Squire, Robin	Cunliffe, Lawrence	Jones, Barry (<i>East Flint</i>)
Marland, Paul	Stainton, Keith	Cunningham, Dr J. (<i>W'h'n</i>)	Jones, Dan (<i>Burnley</i>)
Marlow, Antony	Stanbrook, Ivor	Dalyell, Tam	Kerr, Russell
Marshall, Michael (<i>Arundel</i>)	Stanley, John	Davidson, Arthur	Kilroy-Silk, Robert
Mates, Michael	Steen, Anthony	Davis, Clinton (<i>Hackney C</i>)	Lamborn, Harry
Mawby, Ray	Stevens, Martin	Davis, Terry (<i>B'ham, Stechf'd</i>)	Lamond, James
Mawhinney, Dr Brian	Stewart, A. (<i>ERenfrewshire</i>)	Dean, Joseph (<i>Leeds West</i>)	Leadbitter, Ted
Maxwell-Hyslop, Robin	Stewart, Ian (<i>Hitchin</i>)	Dixon, Donald	Leighton, Ronald
Mayhew, Patrick	Stokes, John	Dobson, Frank	Lestor, Miss Joan
Mellor, David	Tapsell, Peter	Dormand, Jack	Lewis, Arthur (<i>N'ham NW</i>)
Meyer, Sir Anthony	Taylor, Teddy (<i>S'end E</i>)	Douglas, Dick	Lewis, Ron (<i>Carlisle</i>)
Miller, Hal (<i>B'grove</i>)	Tebbit, Rt Hon Norman	Douglas-Mann, Bruce	Litherland, Robert
Mills, Iain (<i>Meriden</i>)	Temple-Morris, Peter	Dubs, Alfred	Lofthouse, Geoffrey
Miscampbell, Norman	Thomas, Rt Hon Peter	Duffy, A. E. P.	Lyon, Alexander (<i>York</i>)
Mitchell, David (<i>Basingstoke</i>)	Thompson, Donald	Dunlop, John	Lyons, Edward (<i>Bradf'dW</i>)
Moate, Roger	Thorne, Neil (<i>Ilford South</i>)	Dunn, James A.	Mabon, Rt Hon Dr J. Dickson
Montgomery, Fergus	Thornton, Malcolm	Dunnett, Jack	McCartney, Hugh
Moore, John	Townend, John (<i>Bridlington</i>)	Dunwoody, Hon Mrs G.	McDonald, Dr Oonagh
Morgan, Geraint	Townsend, Cyril D. (<i>B'heath</i>)	Eadie, Alex	McElhone, Frank
Morrison, Hon C. (<i>Devizes</i>)	Trippier, David	Eastham, Ken	McKay, Allen (<i>Penistone</i>)
Morrison, Hon P. (<i>Chester</i>)	Trotter, Neville	Ellis, R. (<i>NE D'bysh're</i>)	McKelvey, William
Mudd, David	van Straubenzee, Sir W.	Ellis, Tom (<i>Wrexham</i>)	MacKenzie, Rt Hon Gregor
Murphy, Christopher	Vaughan, Dr Gerard	English, Michael	MacLennan, Robert
Myles, David	Viggers, Peter	Ennals, Rt Hon David	McMahon, Andrew
Neale, Gerrard	Waddington, David	Evans, Ioan (<i>Aberdare</i>)	McNamara, Kevin
Needham, Richard	Waldegrave, Hon William	Evans, John (<i>Newton</i>)	McTaggart, Robert
Nelson, Anthony	Walker, Rt Hon P. (<i>W'cester</i>)	Ewing, Harry	McWilliam, John
Neubert, Michael	Walker, B. (<i>Perth</i>)	Faulds, Andrew	Marks, Kenneth
Newton, Tony	Walker-Smith, Rt Hon Sir D.	Field, Frank	Marshall, D (<i>G'gow S'ton</i>)
Normanton, Tom	Wall, Sir Patrick	Flannery, Martin	Marshall, Jim (<i>Leicester S</i>)
Onslow, Cranley	Waller, Gary	Fletcher, Ted (<i>Darlington</i>)	Martin, M (<i>G'gow S'burn</i>)
Osborn, John	Walters, Dennis	Foot, Rt Hon Michael	Mason, Rt Hon Roy
Page, John (<i>Harrow, West</i>)	Ward, John	Ford, Ben	Maxton, John
Page, Richard (<i>SW Herts</i>)	Warren, Kenneth	Forrester, John	Maynard, Miss Joan
			Meacher, Michael

Mellish, Rt Hon Robert	Short, Mrs Renée
Mikardo, Ian	Silkin, Rt Hon J. (Deptford)
Millan, Rt Hon Bruce	Silverman, Julius
Mitchell, Austin (Grimsby)	Skinner, Dennis
Mitchell, R. C. (Soton Itchen)	Smith, Rt Hon J. (N Lanark)
Morris, Rt Hon A. (W'shawe)	Snape, Peter
Morris, Rt Hon C. (O'shaw)	Soley, Clive
Mulley, Rt Hon Frederick	Spriggs, Leslie
Newens, Stanley	Stallard, A. W.
O'Halloran, Michael	Stoddart, David
O'Neill, Martin	Stott, Roger
Orme, Rt Hon Stanley	Straw, Jack
Palmer, Arthur	Taylor, Mrs Ann (Bolton W)
Park, George	Thomas, Dafydd (Merioneth)
Parker, John	Thomas, Jeffrey (Abertillery)
Parry, Robert	Thomas, Dr R. (Carmarthen)
Pavitt, Laurie	Thorne, Stan (Preston South)
Pendry, Tom	Tilley, John
Penhaligon, David	Tinn, James
Pitt, William Henry	Torney, Tom
Powell, Rt Hon J.E. (S Down)	Varley, Rt Hon Eric G.
Powell, Raymond (Ogmore)	Wainwright, E. (Dearne V)
Price, C. (Lewisham W)	Wainwright, R. (Colne V)
Race, Reg	Walker, Rt Hon H. (D'caster)
Radice, Giles	Weetch, Ken
Rees, Rt Hon M (Leeds S)	Wellbeloved, James
Richardson, Jo	Welsh, Michael
Roberts, Albert (Normanton)	Whitlock, William
Roberts, Allan (Bootle)	Wigley, Dafydd
Roberts, Ernest (Hackney N)	Willey, Rt Hon Frederick
Roberts, Gwilym (Cannock)	Williams, Rt Hon A. (S'sea W)
Robertson, George	Williams, Rt Hon Mrs (Crosby)
Robinson, G. (Coventry NW)	Wilson, Gordon (Dundee E)
Rodgers, Rt Hon William	Wilson, Rt Hon Sir H. (H'ton)
Rooker, J. W.	Wilson, William (C'try SE)
Roper, John	Winnick, David
Ross, Ernest (Dundee West)	Woodall, Alec
Rowlands, Ted	Woolmer, Kenneth
Ryman, John	Wright, Sheila
Sandelson, Neville	Young, David (Bolton E)
Sever, John	
Sheerman, Barry	Tellers for the Noes:
Sheldon, Rt Hon R.	Mr. George Morton and
Shore, Rt Hon Peter	Dr. Edmund Marshall.

Question accordingly agreed to.

Resolved,

That the following provisions shall apply to the remaining proceedings on the Bill:

Committee

1.—(1) The Standing Committee to which the Bill is allocated shall report the Bill to the House on or before 23rd March 1982.

(2) Proceedings on the Bill at a sitting of the Standing Committee on the said 23rd March may continue until Eleven p.m., whether or not the House is adjourned before that time, and if the House is adjourned before those proceedings have been brought to a conclusion the Standing Committee shall report the Bill to the House on 24th March 1982.

Report and Third Reading

2.—(1) The proceedings on Consideration and Third Reading of the Bill shall be completed in two allotted days and shall be brought to a conclusion at seven o'clock on the second of those days; and for the purposes of Standing Order No. 43 (Business Committee) this Order shall be taken to allot to the proceedings on Consideration such part of those days as the Resolution of the Business Committee may determine.

(2) The Business Committee shall report to the House their Resolutions as to the proceedings on Consideration of the Bill, and as to the allocation of time between those proceedings and proceedings on Third Reading, not later than the fourth day on which the House sits after the day on which the Chairman of the Standing Committee reports the Bill to the House.

(3) The resolutions in any Report made under Standing Order No. 43 may be varied by a further Report so made, whether or not within the time specified in sub-paragraph (2) above, and whether or not the Resolutions have been agreed to by the House.

(4) The Resolutions of the Business Committee may include alterations in the order in which proceedings on Consideration of the Bill are taken.

Procedure in Standing Committee

3.—(1) At a sitting of the Standing Committee at which any proceedings on the Bill are to be brought to a conclusion under a Resolution of the Business Sub-Committee the Chairman shall not adjourn the Committee under any Order relating to the sittings of the Committee until the proceedings have been brought to a conclusion.

(2) No Motion shall be moved in the Standing Committee relating to the sitting of the Committee except by a member of the Government, and the Chairman shall permit a brief explanatory statement from the Member who moves, and from a Member who opposes, the Motion, and shall then put the Question thereon.

4. No Motion shall be moved to alter the order in which Clauses, Schedules, new Clauses and New Schedules are to be taken in the Standing Committee but the Resolutions of the Business Sub-Committee may include alterations in that order.

Conclusion of proceedings in Committee

5. On the conclusion of the proceedings in any Committee on the Bill the Chairman shall report the Bill to the House without putting any Question.

Dilatory Motions

6. No dilatory Motion with respect to, or in the course of, proceedings on the Bill shall be moved in the Standing Committee or on an allotted day except by a member of the Government, and the Question on any such Motion shall be put forthwith.

Extra time on first allotted days

7.—(1) On the first allotted day paragraph (1) of Standing Order No. 3 (Exempted business) shall apply to the proceedings on the Bill for two hours after Ten o'clock.

(2) Any period during which proceedings on the Bill may be proceeded with after Ten o'clock under paragraph (7) of Standing Order No. 9 (Adjournment on specific and important matter that should have urgent consideration) shall be in addition to the said period of two hours.

(3) If the first allotted day is one to which a Motion for the adjournment of the House under Standing Order No. 9 stands over from an earlier day, a period of time equal to the duration of the proceedings upon that Motion shall be added to the said period of two hours.

Private business

8. Any private business which has been set down for consideration at Seven o'clock on an allotted day shall, instead of being considered as provided by Standing Orders, be considered at the conclusion of the proceedings on the Bill on that day, and paragraph (1) of Standing Order No. 3 (Exempted business) shall apply to the private business for a period of three hours from the conclusion of the proceedings on the Bill or, if those proceedings are concluded before Ten o'clock, for period equal to the time elapsing between Seven o'clock and the conclusion of those proceedings.

Conclusion of proceedings

9.—(1) For the purpose of bringing to a conclusion any proceedings which are to be brought to a conclusion at a time appointed by this Order or a Resolution of the Business Committee or the Business Sub-Committee and which have not previously been brought to a conclusion, the Chairman or Mr. Speaker shall forthwith put the following Questions (but no others), that is to say—

- (a) any Question already proposed from the Chair;
- (b) any Question necessary to bring to a decision a Question so proposed (including, in the case of a new Clause or new Schedule which has been read a second time, the Question that the Clause or Schedule be added to the Bill);
- (c) the Question on any amendment or Motion standing on the Order Paper in the name of any Member, if that amendment or Motion is moved by a Member of the Government;
- (d) any other Question necessary for the disposal of the business to be concluded;

and on a Motion so moved for a new Clause or a new Schedule, the Chairman or Mr. Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(2) Proceedings under sub-paragraph (1) above shall not be interrupted under any Standing Order relating to the sittings of the House.

Homeless Persons (Report)

(3) If an allotted day is one on which a Motion for the adjournment of the House under Standing Order No. 9 (Adjournment on specific and important matter that should have urgent consideration) will, apart from this Order, stand over to Seven o'clock—

(a) that Motion shall stand over until the conclusion of any proceedings on the Bill which, under this Order or a Resolution of the Business Committee, are to be brought to a conclusion at or before that time;

(b) the bringing to a conclusion of any proceedings on the Bill which, under this Order or a Resolution of the Business Committee, are to be brought to a conclusion after that time shall be postponed for a period equal to the duration of the proceedings on that Motion.

(4) If an allotted day is one to which a Motion for the adjournment of the House under Standing Order No. 9 stands over from an earlier day, the bringing to a conclusion of any proceedings on the Bill which, under this Order or a Resolution of the Business Committee, are to be brought to a conclusion on that day shall be postponed for a period equal to the duration of the proceedings on that Motion.

Supplemental orders

10. — (1) The proceedings on any Motion moved in the House by a member of the Government for varying or supplementing the provisions of this Order (including anything which might have been the subject of a report of the Business Committee or Business Sub-Committee) shall, if not previously concluded, be brought to a conclusion one hour after they have been commenced, and paragraph (1) of Standing Order No. 3 (Exempted business) shall apply to the proceedings.

(2) If on an allotted day on which any proceedings on the Bill are to be brought to a conclusion at a time appointed by this Order or a Resolution of the Business Committee the House is adjourned, or the sitting is suspended, before that time no notice shall be required of a Motion moved at the next sitting by a member of the Government for varying or supplementing the provisions of this Order.

Saving

11. Nothing in this Order or a Resolution of the Business Committee or Business Sub-Committee shall—

(a) prevent any proceedings to which the Order or Resolution applies from being taken or completed earlier than is required by the Order or Resolution, or

(b) prevent any business (whether on the Bill or not) from being proceeded with on any day after the completion of all such proceedings on the Bill as are to be taken on that day.

Re-committal

12. — (1) References in this Order to proceedings on Consideration or proceedings on Third Reading include references to proceedings, at those stages respectively, for, on or in consequence of re-committal.

(2) On an allotted day no debate shall be permitted on any Motion to re-commit the Bill (whether as a whole or otherwise), and Mr. Speaker shall put forthwith any Question necessary to dispose of the Motion, including the Question on any amendment moved to the Question.

Interpretation

13. In this Order—

“allotted day” means any day (other than a Friday) on which the Bill is put down as first Government Order of the Day provided that a Motion for allotting time to the proceedings on the Bill to be taken on that day either has been agreed on a previous day or is set down for consideration on that day;

“the Bill” means the Oil and Gas (Enterprise) Bill;

“Resolution of the Business Sub-Committee” means a Resolution of the business Sub-Committee as agreed to by the Standing Committee;

“Resolution of the Business Committee” means a Resolution of the Business Committee as agreed to by the House.

6.50 pm

Mr. A. W. Stallard (St. Pancras, North): On a point of order, Mr. Speaker. I ask for guidance more than anything. In *The Guardian* today there is an article on the first major national report by a Government for 10 years on the problems of homelessness. I am the chairman of the all-party group for the homeless and rootless. We are concerned about the issues in the report.

Since I arrived at the House early today I have been trying to obtain a copy of the report. It is on sale in Her Majesty's Stationery Office, it has been reviewed in the press and people on the street have copies, but no hon. Member has one. There is not a copy in the House. I have been to the Vote Office, the Library, the general office and your office, Mr. Speaker. I filled in a green card. I could wait perhaps two weeks for the result. I have tried to explore every conceivable channel.

How can we do our job if we have to rely on second-hand reports in newspapers?

Mr. David Ennals (Norwich, North): Further to that point of order, Mr. Speaker. I was the first chairman of the Campaign for the Homeless and Rootless. I followed the same route as my hon. Friend, and I, too, have been unable to obtain the report.

I understand that the report has been heavily edited and many of the recommendations have been excluded, so it is even more important to see what has finally been published.

Mr. David Stoddart (Swindon): Further to that point of order, Mr. Speaker. I, too, am interested in the subject. I recently had an Adjournment debate on it.

This is not the first time that we have had a problem with reports. Hon. Members are being treated as second-class citizens. We are sick and tired of being the last to see Government publications. You are the guardian of Back-Bench rights, Mr. Speaker. I hope that you will put the Government in their place and tell them to do their job properly.

Mr. Speaker: I have listened with concern to the right hon. and two hon. Members. I shall look into the matter to see whether the papers can be made available. I believe that they will be. I do not know why they are not available already.

The Clerk will now proceed to read the Orders of the Day.

Mrs. Ann Taylor (Bolton, West): Further to that point of order, Mr. Speaker. As the Leader of the House is in the Chamber, perhaps it would be helpful if he could explain why the report has not been made available.

Mr. Speaker: Order. The Clerk will now proceed to read the Orders of the Day.

010

Pashment

CONFIDENTIAL



Prime Minister

1.

PRIME MINISTER

Yes Mr

When you first saw Mr Pym's proposals, you felt that he might be too restrictive. The Home Sec now proposes that he, + Mr Pym and Lady Young, should have a word with you. Would you like to do this as part of Monday morning's business - the presence of Messrs Topling + Parkinson could be useful. Lady Young is already invited to lunch, and could therefore join your regular meeting at 12.45?

LEGISLATIVE PROGRAMME 1982-83

1. The Queen's Speeches and Future Legislation Committee (QL) discussed the legislative programme for 1982-83 on 3 March on the basis of the proposals put forward by the Lord President in QL(82)2. We reached provisional agreement on a main programme of the bills listed in the Annex to this minute, together with perhaps one other to be selected later. I shall be writing soon to all Ministers who put in bids for legislative time to let them know of QL's initial reactions, but before I do so I think that it would be helpful if the Lord President, the Chancellor of the Duchy of Lancaster and I could discuss the size and balance of the proposed programme with you. A further meeting of QL, to which Departmental Ministers will be invited as necessary, has been arranged for 23 March.

*MA
5/3*

2. 1982-83 will be the last full Session of the present Parliament, and our next legislative programme will clearly have an important bearing on our preparations for the General Election. If the possibility of an Election in the autumn of 1983 is to be kept open, we need to be quite sure that we are in a position to complete the programme before the Summer Recess of that year. It is already clear that a substantial spillover will be necessary in the House of Lords this Session, even though the programme is considerably lighter than in 1980-81, and the Committee agreed that we could not, without running an unacceptable risk, accommodate a main programme (excluding Scottish and contingent bills) of more than 15 bills; that was the number agreed by the Cabinet at the beginning of the present Session. The timing of the legislation is also important, particularly in relation to the organisation of business in the Lords, and QL agreed that we should only select bills which could confidently be expected to be ready for introduction at the beginning of the Session or, exceptionally, by the end of November at the very latest.

3. As to the overall balance of the programme, the Committee recognised the political importance of pressing ahead with legislation to promote our main strategic objectives, particularly in the field of privatisation. At the same time, they noted that there was a limit to the amount of controversial legislation which could be handled without the risk of serious mishap at a time when most of our supporters will want to be able to devote a greater proportion of their time to constituency duties. This will be particularly relevant in the case of those Conservative Members most affected by the recommendations of the Boundary Commission.

4. Taking all these factors into account, the Committee agreed that a place would have to be found for the three essential bills (Mobile Homes, Water and Carriage by Railway). They noted, however, that it was only the proposed increase in the borrowing limits of the water authorities which justified putting the Water Bill into this category. The remaining items should not be included unless a convincing case could be made out for them in their own right in competition with the other bids for programme bills.

5. The Committee endorsed the Lord President's recommendation that the four major strategic bills covered by paragraph 6 of QL(82)2 (Dock Work Regulation, Gas Safety; Electricity and Nuclear Installations (Amendment), and Shipbuilding Industry (Disposals)) should be included, subject to confirmation that it was still the intention to begin the disposal of the gas showrooms, once the Gas Safety Bill had been passed, in the lifetime of the present Parliament. The Committee noted that the Bill, and the Dock Work Regulation Bill, could well lead to industrial action.

6. The six bills listed in paragraph 7 of QL(82)2 come into the third order or priority. The Committee agreed that there was a strong objective case for including the Agriculture Bill, but feared that this would lead to pressure for legislation on agricultural tenure, on which the Party is deeply divided. Even if the scope of the Bill could be restricted so as to preclude amendments about tenure, we should be hard put to it to explain why we could not find time for separate legislation on this subject when we were able to fit in a long bill on other, arguably less important, agricultural subjects. The Committee therefore concluded that it would be better not to proceed with the Agriculture Bill as at present proposed, though it might be necessary to accommodate a shorter bill confined to provisions enabling us to ratify the Convention on Protection for New Varieties of Plants.

7. The Chief Whip's researches suggest that there may be much less enthusiasm among our own supporters than was originally supposed about extending the right to buy tenants of properties held on leasehold or belonging to housing trusts. The Committee agreed that the Housing and Building Control Bill should accordingly not be added to the list for the moment, but should be considered together with the other bills in the supplementary list in paragraph 8 of the Lord President's memorandum.

8. The Committee accepted the case for including the Further Education Bill (provided that the timetable for its preparation can be improved), the Commonwealth Development Corporation (Amendment) Bill (one-clause, and not controversial), the Conwy Tunnel (Miscellaneous Provisions) Bill (which seems essential for the roads programme), and my own Police and Criminal Procedure Bill (which will be needed at least for provisions dealing with the police complaints procedure).

I am
pleased
No

9. That would leave room for four more programme bills. The Committee's choice fell on the Health and Social Services (Miscellaneous Provisions) Bill, which has been repeatedly postponed, and which would give a much-needed social dimension to the programme; a bill combining the proposed Museums, Ancient Monuments and Historic Buildings, and Royal Botanic Gardens Bills, and taking some 3,000 people out of the Civil Service; the Telecommunications Bill, a major privatisation bill which will be highly controversial and which poses formidable drafting problems; and one further bill to be decided later.

10. The obvious candidate for the final place in the programme is the Data Protection Bill. This is, however, fraught with difficulties. The proposals which we have agreed to include in the White Paper will be immensely controversial, and will certainly not satisfy those who have been leading the current campaign for greater protection of personal data. The whole freedom of information debate could well be reopened. Are we convinced that legislation next Session is essential to protect our international trading interests? We shall be better able to assess the position when we have considered the reaction to the White Paper.

11. Of the remaining bills listed in paragraph 8 of QL(82)2, the Fisheries Bill is desirable in principle, but it does not seem particularly urgent. The Royal Ordnance Factories Bill and the IMS (Financial Provisions) Bill are not of great urgency. Policy decisions on the Pensions (Increase) Bill have yet to be taken. We are agreed that the Duchy of Cornwall Bill should be taken under the Second Reading Committee procedure when the business managers judge that the time is ripe. The Matrimonial Causes Bill would put financial provision after divorce on a more rational basis, but could generate a great deal of emotionally-charged controversy. The Committee did not think that the Social Security Bill or the Development of Inventions Bill needed to be accorded a high priority. My own Wireless Telegraphy (Amendment) Bill would enable us to deal more effectively with the problem of radio interference caused by unauthorised broadcasting, though I would concede that it has few political attractions.

12. I should be grateful if you could find time for a short discussion of the Committee's provisional conclusions with the Leaders of both Houses and me in the course of next week.

13. I am copying this Minute to members of QL, to First Parliamentary Counsel, and to Sir Robert Armstrong.

WSIW
5 March 1982

BILLS PROVISIONALLY RECOMMENDED BY QL FOR INCLUSION IN LEGISLATIVE PROGRAMME
1982-85

Note: Numbering follows schedule attached to QL(82) 1.

ESSENTIAL

1. Mobile Homes
2. Water [borrowing limits only]
3. Carriage by Railway.

PROGRAMME

- 12, 17, 27. Museums, Ancient Monuments and Royal Botanic Gardens [combines original proposals for 3 separate bills.]
16. Further Education
22. Dock Work Regulation.
24. Gas Safety
25. Electricity and Nuclear Installations (Amendment)
30. Commonwealth Development Corporation (Amendment)
32. Health and Social Security (Miscellaneous Provisions)
35. Police and Criminal Procedure.
41. Telecommunications.
42. Shipbuilding Industry (Disposals)
55. Conwy Tunnel (Miscellaneous Provisions).

From: THE PRIVATE SECRETARY



HOME OFFICE
QUEEN ANNE'S GATE
LONDON SW1H 9AT

5 March 1982

Dear Mike

LEGISLATIVE PROGRAMME 1982-83

I much regret that the Home Secretary's minute, circulated earlier today, contained a typing error in paragraph 11. I am enclosing a re-typed page and I should be grateful if you and those to whom I am copying this note could substitute it for the original.

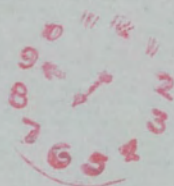
Yours sincerely
C J Walters

C J WALTERS

M A Pattison, Esq.

cc Private Secretaries to members of QL
Private Secretary to Sir Robert Armstrong
First Parliamentary Counsel

MAR 1882



Handwritten mark

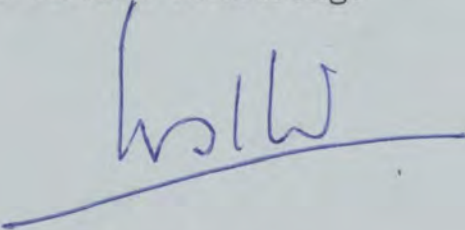
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5 March 1982

15 MAR 1982
19 MAR 1982

12 1 2 3 4
5 6 7 8 9
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HL

Parliament

10 DOWNING STREET

From the Private Secretary

1 March 1982

Legislative Programme 1982-83

As I mentioned to you on the telephone, the Prime Minister saw the Lord President's paper QL(82)2, over the weekend.

She has noted that there are a number of important measures in the list contained in paragraph 8 of the paper, and that the Lord President sees scope for only two from this list to be included in the next Session's programme. She has commented that it will be necessary to take more than two from that list if the Government's programme is to have a sense of purpose.

The Lord President will no doubt be seeking an opportunity to set out his thinking to the Prime Minister before too long, but I thought that you would find it helpful to be forewarned of her first reaction to his proposals.

M. A. PATTISON

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

A

PART 8 ends:-

25.2.82

PART 9 begins:-

1.3.82

