

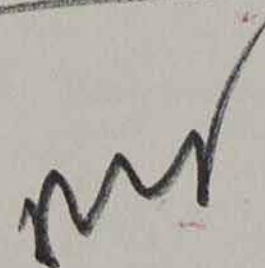
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Ref. A02173

PRIME MINISTER

Prime Minister.

The programme does not contain
any provision for further legislation
on industrial relations.



14.11.80

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Legislative Programme 1980-81

(C(80) 26 and 27)

BACKGROUND

The Queen's Speeches and Future Legislation Committee have considered the legislative programme for next Session. The Home Secretary's paper (C(80) 26) puts forward their recommendations. (In the annex to the paper and the summaries circulated with C(80) 27, the Bills are listed by alphabetical order of sponsoring Departments within each category).

2. The Home Secretary recommends a programme of:

- (1) Ten essential Bills, and 16 programme Bills (including the Education (Scotland) Bill), together with five Bills virtually drafted that are expected to be suitable for Second Reading Committee but should, in any event, be in the programme (Annex A).
- (2) Such of the contingent Bills (Annex B) as prove necessary. They include a Bill that would make new constitutional arrangements for Northern Ireland.
- (3) A maximum of 9 Scottish Bills (Annex C) that should be suitable for Scottish Grand Committee.
- (4) Five Bills (Annex D) to be drafted and included if, but only if, they are later judged suitable for Second Reading Committee.

3. QL Committee felt strongly that the legislative burden for next Session should be lighter than it has proved to be this Session. Any "target" figure for the number of Bills is bound to be arbitrary. This Session's problems were partly caused by the length of some Bills and delays in their preparation and introduction. The QL target of some 25 essential and programme Bills seems reasonable. Time could then be found for unforeseen Bills, as well as for some of the contingent Bills, without (as happened this Session) dropping measures which had previously been announced.

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4. All the bids for essential Bills have been accepted. This category includes Bills required to implement EC directives, e.g. the Wildlife and Countryside, Companies, Insurance Companies and Energy Conservation Bills. QL Committee accepted that other desirable, though not strictly essential, provisions might be included in some of the Bills.

5. Ministers put forward bids for over 40 Bills in the programme category. QL therefore had to reject a substantial number, but managed to find places for 20 in the programme (Annex A) and a possible extra five Bills (Annex D). In making choices they recognised:

- (1) the importance of Bills to secure the sale of assets or the reduction of public expenditure and manpower (e.g. Petroleum and Continental Shelf, Iron and Steel, Transport);
- (2) the need for a 'social content' to the programme (e.g. Education (Special Needs));
- (3) the importance of promoting Bills which could be introduced at the beginning of the Session and in the House of Lords.

6. The Cabinet may want to consider, first, the balance of the programme as it would appear in The Queen's Speech. There is strong emphasis on economic Bills. The Lord Chancellor has secured a place for three measures of legal reform; social reform is represented only by two Education Bills; there are two environment Bills, a local government Bill, and a Nationality Bill as promised in the Election Manifesto.

7. Many of the Bills put forward by QL have not yet obtained policy clearance. The Secretary of State for the Environment, for instance, will need to convince his somewhat sceptical colleagues about the changes in Local Government audit (an Accounts Commission) that he wishes to include in another Local Government and Planning Bill. QL emphasised the need to keep such a Bill reasonably short, in view of experience with this Session's Bill, and to have it ready early in the Session. The Minister of Transport, who has agreed to shorten the Transport Bill, has said that he will not be including random breath tests for motorists among its road safety provisions. The Home Secretary is

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likely to thank those of his colleagues who have agreed to shorten their Bills, and to urge Ministers to seek early policy approval where necessary.

8. The Secretary of State for Industry is expected to press for a Shipbuilding Industry (Disposals) Bill. This would fulfil a Manifesto commitment; but the policy is not yet settled and the timing of the sale of specialist warship builders uncertain. He may also press for a Bill to establish an Engineering Authority on the lines of the Finniston Report. Consultations on the report are far from complete and a place in the 1981-82 programme may be more realistic. The Secretary of State for Social Services may press for a major Mental Health Bill amending the 1959 Act. He gave this a higher priority than his Social Security Bill, but QL felt the latter was more urgent because it would reduce expenditure.

9. One or two Ministers may seek to add to the list of Second Reading Committee Bills in Annex D. The judgment of QL, on the advice of the Chief Whip, was that a Nuclear Installations (Amendment) Bill - put forward by the Secretary of State for Energy - and a Currency and Bank Notes Bill - put forward by Treasury Ministers - were moderately controversial and unlikely to be accepted by the Opposition for this procedure.

HANDLING

10. You might invite the Home Secretary to introduce his paper and then ask the Lord Chancellor, the Leaders of the two Houses and the Chief Whip whether they wish to add anything on the size and feasibility of the programme. You will wish to confirm that the Cabinet are broadly content with the size of programme recommended by QL.

11. You may then wish to seek views on the balance of the programme and its political impact, while at the same time avoiding discussion of the detailed merits of individual Bills. The Paymaster General may wish to contribute.

12. It would be possible, if need be, to add one or two Bills to the programme, without making it unwieldy. But if there is strong pressure for more Bills, the Cabinet will need to consider which Bills put forward by QL might be omitted. (If EC obligations can be set aside for a year, possible candidates include Energy Conservation and Insurance Companies).

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CONCLUSIONS

13. You may wish to guide the Cabinet to accept the recommendations of QL Committee, with the possible addition of the Shipbuilding Industry (Disposals) Bill. In the light of the discussion, the Cabinet might be asked to agree:

- (a) the list of essential and programme Bills (Annex A), subject to any modifications;
- (b) the bringing forward of such contingent Bills as prove necessary (Annex B);
- (c) the list of Scottish Bills (Annex C);
- (d) the list of Bills to be introduced only if found suitable for Second Reading Committee procedure (Annex D).

14. Finally, you may want to endorse again paragraph 9 of the Home Secretary's paper C(80) 26 about the importance of early action to secure policy approval, drafting authority, and instructions to Counsel for the essential and programme Bills, so that as many as possible are ready for introduction at the beginning of the new Session.



(Robert Armstrong)

14th May, 1980