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PRIME MINISTER

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HOUSE OF COMMONS PROCEDURE

We must soon decide on the action we are to take on the next stage of the follow-up to the Procedure Committee's report (First Report from the Select Committee on Procedure, Session 1977-78).

To see. This should fill
M.T. an afternoon! I see no
reason to differ from the
CDL's proposals, and do not
expect many
comments from
colleagues.
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2. Following our discussion in Cabinet on 14 June (C(79)16 and CC(79)6th Conclusions, Minute 5) and the debate in the House of Commons on 25 June, negotiations have taken place through the usual channels to set up the new structure of departmentally-related Select Committees and these should be established soon after Parliament returns next month. Questions such as the party balance in the chairmanships of the Committees have been settled with the agreement of the departmental Ministers concerned and the few matters which remain outstanding - such as the composition and orders of reference of the Liaison Committee - should be resolved soon after the recess.

3. The recommendations on Select Committees were undoubtedly the most important in the report, and the prompt action we have taken has been widely welcomed. We are, however, committed to more than this. In the Manifesto we undertook to give the House of Commons an early chance of coming to a decision on all the proposals of the Procedure Committee, including the reports of the Sessional Committees. I therefore indicated in my speech on 25 June that the Select Committee debate was intended as the first instalment.

4. The Procedure Committee themselves have argued that we should take next the main recommendations on public bills and delegated legislation, and they have also claimed that a debate on the procedures for considering European Community matters - to include their own recommendations on European Economic Communities legislation - is long overdue. They will undoubtedly have some support in the House as a whole. These recommendations, if accepted in their entirety, could, however, create difficulties for the Government in a session which has such a heavy load of legislation. For example, a bill's Committee Stage would be lengthened and there would be a risk of having to provide more debates on statutory instruments. I shall want to consider the Committee's proposals for handling legislation, carefully with colleagues in due course. But I do not think we can take any risks in what we know will be a busy and contentious session, and I therefore propose to defer debate on them. When Parliament returns, however, I intend to consult the 1922 Committee and others such as the Constitutional Committee, the Procedure

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Committee themselves and the Opposition spokesman (Mr Rees) about these particular proposals and to ask the Whips to take soundings from appropriate individuals. We shall then be in a position to judge more accurately the strength of feeling in the House as a whole, and I shall consult colleagues next year with a view to putting forward the Government's proposals towards the end of the session.

5. In the meantime we need to give the House a further chance to make progress in revising its procedures. We shall not be able to debate new Government bills until two weekends have elapsed after Parliament has returned, so we have a convenient opportunity for a debate during the week of 29 October to 2 November. I should like to use that opportunity for a debate covering the recommendations of the main Procedure Committee Report on the organisation of sessions and sittings (71-76) and on private Members' bills (1-3), together with the undebated reports of the Sessional Committees. The motion would be in terms which would allow debate on all these recommendations. There would be specific Government resolutions to allow the House to come to conclusions on most recommendations; in other cases where Opposition or back-bench amendments to the motion were put down, the Government generally would have to advise rejection. I attach an annex which describes in more detail what would be involved and the attitude I suggest we should take. I should draw your attention particularly to the Fifth Report for Session 1976-77 which deals with Questions to the Prime Minister: see page 6 of the annex. All divisions would be on a free vote. We must expect the debate to touch on some of the wider issues on which the Procedure Committee did not propose any change, such as Members' interests and the pattern of the Parliamentary day, but I see no serious difficulty in keeping control of the debate and of the resulting votes. I believe that such a debate would be welcome in Parliament and would result in some useful improvements.

this causes no difficulty

6. I should be grateful if you and colleagues to whom I am copying this minute would let me know if you see any difficulty with this general approach, and with the particular line I am proposing on the recommendations which would be debated.

7. I am copying this minute to other colleagues in the Cabinet, to the Minister of Transport and the Attorney General, and to Sir John Hunt.

NPSHS.

5 October 1979

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FIRST REPORT OF THE SELECT COMMITTEE ON PROCEDURE, SESSION 1977-78
RECOMMENDATIONS (1)-(3) ON PRIVATE MEMBERS' BILLS

(1) Presentation of Bills under SO 13 ("10-Minute Rule" Bills)

A Member should not be permitted to seek leave to bring in a Bill under the provisions of SO No 13 unless he has first lodged a text of the proposed bill with the Public Bill Office (paragraph 2.7).

There is no Government objection to this recommendation, but the restriction on the recognised use of SO No 13 to raise matters at short notice may not be welcomed by all back-benchers. I propose no specific Government resolution; if there is an Opposition or back-bench amendment to accept this recommendation, we should leave it to the judgement of the House.

(2) Shorter Speeches

An experiment should be conducted, confined to second-reading debates, whereby, because of the number of Members wishing to take part, Mr Speaker would call Members between 7.00 pm and 9.00 pm to speak for a maximum of 10 minutes (paragraph 2.9).

No Government objection, and the recommendation is attractive in principle. I propose a Government resolution to give effect to it.

(3) Reference of Private Members' Bills to Second Reading Committee

Private Members should be free to propose, on Fridays allotted for Private Members' bills and motions, the reference of their bills to a second reading committee under the provisions of SO No 66 (paragraph 2.10).

The intention is to relieve pressure on the Floor of the House and, by allowing private Members' bills which have general support to overtake contentious bills in the queue for second reading, to give them a better chance of reaching the Statute Book. It would still be possible for bills which the Government cannot accept to be blocked at a later stage, so there is no threat to Government control (although there might be some risk of Members' time being wasted in Committee). I propose a Government resolution to give effect to this recommendation.

FIRST REPORT OF THE SELECT COMMITTEE ON PROCEDURE
RECOMMENDATIONS (71)-(76) ON THE ORGANISATION OF SESSIONS AND SITTINGS

(71) 10 o'clock Suspension Motions

If a division is called on a motion that specified business, though opposed, may be proceeded with after ten o'clock, the question on that motion should not be decided in the affirmative unless not less than 200 Members vote in the majority in support of the motion (paragraph 9.14).

This recommendation is designed to make 10 pm suspension motions less common and their passage more difficult. Although we shall avoid late sittings as far as possible, most sitting days with Government business attract a 10 pm suspension and the recommendation would mean that many more Government supporters would have to attend to secure the motion, at considerable inconvenience to themselves. I propose no Government resolution; if there is an Opposition or back-bench amendment, we should advise the House to reject it.

(72) Recess Adjournment Debates

The question on the motion proposing the dates of each recess, and on any amendments to the motion, should be put forthwith (paragraph 9.16).

This recommendation would remove one of the opportunities for back-benchers to raise matters of concern to them on the Floor, and some Members might oppose it on this account. There is, however, no Government objection to it, and it has some advantage. These debates have become somewhat artificial occasions, unlike the whole-day adjournment debate immediately before each recess, which would still be retained. I propose a Government motion to give effect to the recommendation.

(73) Consolidated Fund Bill Debates

The debate on the second reading of Consolidated Fund Bills should be taken in standing committee, in which all Members should be free to participate if they wish (paragraph 9.18).

Similar considerations apply as with (72), and I propose the same approach.

(74) Friday sittings

The House should sit on Fridays at 9.30 am, and business should be interrupted at 2.30 pm (paragraph 9.27).

There is considerable support for this recommendation, especially from Members representing constituencies at a distance from London. I propose a Government resolution to give effect to it.

(75) Annual pattern of recesses

There should be no fundamental change in the overall pattern of the session; the Easter recess should if possible be longer than the Whitsun recess; an earlier rising of Parliament for the summer recess is desirable and should be sought; a longer "spill-over" period in the autumn should be accommodated by bringing forward the dates of party conferences (paragraph 9.30).

Most of this is desirable in principle, but we must not lose our room for manoeuvre and we shall be under some pressure next year. I propose no Government resolution, but we could promise to take note and indicate general sympathy in the debate. An Opposition or back-bench amendment would, however, be opposed.

(76) Announcement of Recess dates

The dates of the Christmas, Easter and Whitsun Recesses should be announced, and approved by the House, soon after the beginning of each session (paragraph 9.31).

We must keep our present flexibility. Dates fixed in advance would cause difficulty if unforeseen business arose and could always be exploited by the Opposition. In practice Governments would probably have to play safe by announcing very short recesses. I propose no Government resolution; any Opposition or back-bench amendment should be opposed; but we could say in debate that the Government will always try to give as much notice as possible.

UNDEBATED REPORTS OF SESSIONAL COMMITTEE ON PROCEDURE
SESSION 1975-76

FIRST REPORT

Procedure for establishing the order of oral Questions

Random ordering of notices to be carried out in Upper Table Office at 4.05 pm. Marshalled questions to be number-stamped before being sent to Editorial Supervisor.

No action required. The Speaker has given instructions to enable the proposal to be pursued as an experiment.

SECOND REPORT

Order of precedence of Private Members' Bills

No change in present practice under which Second Readings take precedence over adjourned proceedings on the seventh and subsequent private Members' days.

No problem for the Government. Government resolution to approve the recommendation.

THIRD REPORT

Tabling of Questions and access to the Table Office

Access to the Table Office should be confined to Members, and Members should be able to discuss and table only those Questions that are in their own name.

There is no evidence of serious difficulty for Members or the Clerks in the present practice which allows secretaries to make enquiries at the Table Office on Members' behalf, and Members to authorise another Member to table a Question in their name without having signed it. The proposed change seems unnecessarily restrictive. No Government resolution, and if there is an Opposition or back-bench amendment, advise the House to reject this recommendation.

UNDEBATED REPORTS OF SESSIONAL COMMITTEE ON PROCEDURE
SESSION 1976-77

FIRST REPORT

Calling of amendments for division at end of debate

The experiment of calling an extra amendment at the end of the Debate on the Address should be regularised by Standing Order. But the practice should not be extended to other occasions.

No problem for the Government. Government resolution to approve the recommendation.

SECOND REPORT

Method of raising points of order during divisions

Existing requirement "to be seated and covered" to be retained, and second piece of headgear to be kept behind the chair.

As above. (Second hat now available).

THIRD REPORT

Voting on Opposition Motions on Supply Days

When the Question is put at the conclusion of the debate on a Supply Day when a Government amendment has been moved to an Opposition Motion it should be in the form: "The Question is that the original words stand part of the Question".

The present practice of dividing on the Government's amendment to a Supply Day Motion, and not on the original words, deprives the Opposition of voting on their own Motion, and is contrary to the spirit behind the current use of Supply Days. Government resolution to give effect to the recommendation.

FOURTH REPORT

Business of the House Motions to divide business at a stated time (usually 7 pm).

Present practice of occasional use should be allowed to continue, subject to extended consultation and Government assurances about limited use.

Government resolution to approve the recommendation with assurances in the debate if necessary.

FIFTH REPORT

Questions to the Prime Minister

The Prime Minister, at discretion, should retain more questions falling strictly within the responsibility of Departmental Ministers if important policy issues involved. Members should table fewer "device" type Questions to the Prime Minister. "Indirect" Questions should not be grouped with identical Questions, and Mr Speaker should enforce stricter rules of relevance on supplementaries arising from "indirect" questions.

Government resolution to take note of the report, and to invite the Speaker to take its recommendations into account. Statement of the Prime Minister's willingness to retain Questions when appropriate, as indicated by recent practice.

SIXTH REPORT

Operation of Standing Order No. 9

If a Member is able to give notice before noon of his intention to move the adjournment on a matter of urgent public importance he should not raise the matter on the Floor of the House without the Speaker's notification that he will grant the application. If urgency has become known after noon application should normally be made the following day. Applications on the Floor for an SO 9 debate should thus not be normally made without the prior agreement of the House.

No problem and some advantage to the Government. Government resolution to give effect to the recommendation.

SEVENTH REPORT

Eligibility of Members successful in ballots to take part in subsequent ballots.

No change in present practice which allows Members successful in a previous session to take part in ballots in subsequent sessions.

Government resolution to approve the recommendation.

EIGHTH REPORT

Tabling of amendments to a Bill on the day it receives a Second Reading.

Designation of single Clerk at the Table as recipient of all amendments.

Government resolution to approve the recommendation.

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MEMORANDUM FOR THE DIRECTOR

The first priority is to ensure that the information is accurate and complete. It is essential that the information is reliable and that it is up-to-date. The information should be checked and verified before it is used. It is also important to ensure that the information is presented in a clear and concise manner. The information should be organized and structured in a way that is easy to understand. It is also important to ensure that the information is presented in a way that is consistent with the overall goals and objectives of the organization.

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