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CABINET

LEGISLATIVE PROGRAMME 1983-84

Memorandum by the Secretary of State for the Home Department

INTRODUCTION

The length of the next Session of Parliament depends upon the timing of the next General Election. If the present Parliament were to run its full course, the 1983-84 Session beginning in the autumn of this year would be rather less than six months long, and there would be room for only a very restricted legislative programme. If, on the other hand, the Election were held in the summer or early autumn of 1983, next Session, the first of the new Parliament, would be of normal length, and we would be able to carry a full programme of legislation. After discussion as necessary with the Ministers concerned, the Queen's Speeches and Future Legislation Committee (QL) have drawn up the suggested programmes for a short and a normal Session at Annexes A and B respectively. This memorandum seeks the agreement of the Cabinet to the Committee's recommendations. Further details of the Bills listed in these Annexes (and in Annex C, which lists other Bills to which sponsoring Ministers give a high priority) are given in C(83) 10.

PROGRAMME FOR A SHORT SESSION

2. In a short pre-Election Session, we would be vulnerable to disruptive tactics by the Opposition, and bringing forward long or contentious Bills would put the entire programme, including some of the less controversial measures, at risk. We shall in any case have to find time for six or seven essential Bills, and to leave a reasonable margin for one or more of the contingent Bills; and QL came to the conclusion that it would be unwise to plan to add more to this than four relatively short and not acutely controversial programme Bills, together with two fairly uncontroversial Scottish Bills and three Bills to be introduced only if the Opposition agree to their being taken under the Second Reading Committee procedure in the Commons.

3. The Committee recognise that the political content of this programme is not high, and that some colleagues may feel that some of the Bills listed in Annex C should have been given a higher priority. Of these, the Bill which would give most satisfaction to our own supporters is perhaps the Trade Union Bill, possibly confined in a short Session to dealing with the rules for union elections. But QL considered that adding a Bill of this kind to the programme would be likely to cause the Opposition to withdraw co-operation in Parliamentary business; and the confrontation that would ensue could well be more to the advantage of the minority parties than to the Government.

PROGRAMME FOR A SESSION OF NORMAL LENGTH

4. The resources available to Departments and Parliamentary Counsel for the preparation of legislation are limited; and it is impracticable to think in terms of preparing two completely different sets of Bills for a Session beginning in October/November 1983, one set for introduction if the Session is a short final Session of this Parliament and one for introduction if it is the first Session of a new Parliament. Apart from the special case of Scottish Bills (see below), the programme proposed by QL for a normal Session consists of the short Session programme (Annex A) plus the additional Bills listed in Annex B. This would give a total normal Session's programme of seven essential, four contingent, 13 programme, three Scottish and 11 Second Reading Committee Bills.

5. QL thought that this programme would be too heavy to be manageable if the two big local government Bills (one on the structure of local government and the other on local authorities' revenue and expenditure) materialised. If both are ready in time (and First Parliamentary Counsel has consistently voiced doubts about whether this is possible) the inclusion of one or more of the other recommended programme Bills would have to be reconsidered. But if either or both local government Bills fail to materialise, the first two Bills in the reserve list in Annex B might be substituted for them; QL recommend that the Trustee Savings Banks Bill should be drafted on a contingency basis (the Dock Work Regulation Bill is already drafted) so that both can be ready for introduction at any time from the beginning of the Session onwards if space becomes available.

SCOTTISH BILLS FOR A SESSION OF NORMAL LENGTH

6. Scottish Bills are not drafted by Parliamentary Counsel, and provided that the Scottish Parliamentary Draftsmen have adequate resources there is no reason in principle why the normal Session's Scottish programme should necessarily include those selected for a short Session. In a normal Session, the Secretary of State for Scotland would not press his short Session Irrigation (Scotland) Bill, while his Valuation and Rating (Scotland) Bill would be subsumed in the wider Local Government (Miscellaneous Provisions) (Scotland) Bill, which would also enact for Scotland provisions similar to those in the Local Government Rating and Expenditure Bill. If the England and Wales Bill did not materialise in its entirety, the Scottish valuation and rating anomalies would still need to be dealt with, and depending on how much of the England and Wales Bill did materialise there might also be room in the programme for the Housing (Scotland) Bill. QL recommends that the position should be reviewed when it is clearer how much of the England and Wales Bill will be ready. In any event, the programme for a normal Session would also include the Roads (Scotland) and Inshore Fisheries (Scotland) Bills.

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INSTRUCTIONS TO PARLIAMENTARY COUNSEL

7. Finally, I again remind colleagues of the need to observe and, if possible, to improve on their existing timetables for the preparation of Bills selected for inclusion in either list. This is always important for the orderly management of any legislative programme, but assumes special significance in relation to the drafting of Bills for a short Session with a definite limit.

CONCLUSION

8. I invite colleagues:

- a. to approve the lists of Bills at Annexes A and B for a short and a normal 1983-84 Session respectively;
- b. to note that the proposed normal Session's programme is subject to review in the light of progress on the two local government Bills;
- c. to agree that all Ministers concerned should ensure that the stated timetables for their Bills are observed.

W W

Home Office

30 March 1983

L = suitable for introduction in the House of Lords

BILLS RECOMMENDED FOR INCLUSION IN THE
LEGISLATIVE PROGRAMME FOR A SHORT
1983-84 SESSION

Essential (7)

1. Coal Industry
2. New Towns (Money)
3. Social Security
4. Shipbuilding
5. Co-operative Development Agency
6. Merchant Shipping (L)
7. International Monetary Arrangements - unless enacted this Session

Contingent (4)

8. Insolvency Payments (L)
9. Australia (L)
10. Export Guarantees
11. National Insurance Surcharge

Programme (4)

12. Prevention of Marine and Food Pollution (L)
13. Education (Overseas Students) (Definition) - if this proves to be unnecessary, Education (Grants to Local Authorities) (number 44) would be substituted
14. Gas Safety (L)
15. Prevention of Terrorism (might be suitable for Lords introduction in a normal Session)

Scottish (2)

16. Valuation and Rating (Scotland) (L)

17. Irrigation (Scotland) (L)

Second Reading Committee (3)

18. Somerset House (Management Powers) (L)

19. Death Certification (Miscellaneous Provisions) (L)

20. Foreign Limitation Periods (L)

ADDITIONAL BILLS RECOMMENDED FOR INCLUSION IN THE
LEGISLATIVE PROGRAMME FOR A NORMAL
1983-84 SESSION

Programme (9)

21. Royal Ordnance Factories
22. Trade Union
23. Cable and Satellite Broadcasting
24. Public Services Transfer of Functions
25. Agricultural Holdings
26. Local Government
27. Local Government Rating and Expenditure
28. Matrimonial Causes (L)
29. Public Transport (London)

Scottish (3)

30. Local Government (Miscellaneous Provisions) (Scotland)
31. Roads (Scotland)(L)
32. Inshore Fisheries (Scotland) (L)

(Numbers 30-32 would replace the two short Session Scottish Bills)

Second Reading Committee (8)

33. Prevention of Discrimination against Sikhs (L) (probably now unnecessary)
34. Repatriation of Prisoners (L)
35. Insurance Law Reform (L)
36. Fosdyke Bridge (L)

- 37. Occupiers' Liability (L)
- 38. Illegitimacy (L)
- 39. Legal Aid Remuneration (L)
- 40. Pensions Commutation Board (L)

Reserve (3)

- 41. Trustee Savings Banks
- 42. Dock Work Regulation
- 43. Housing (Scotland)

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MAIN BILLS STRONGLY PRESSED BY MINISTERS
BUT NOT RECOMMENDED BY QL

I. SHORT SESSION

44. Education (Grants to Local Authorities) - this would be in the short Session's programme recommended by QL if number 13 proves to be unnecessary.
45. Trade Union - selected provisions of the full Bill recommended by QL for a normal Session.
46. Local Government Rating and Expenditure - selected provisions of the full Bill recommended by QL for a normal Session.
47. Consumer Safety (shorter version)
48. Public Services Transfer of Functions - recommended by QL for a normal Session
49. Trustee Savings Banks - recommended by QL for normal Session reserve list.

II. NORMAL SESSION

50. New Towns - full Bill; financial provisions alone recommended by QL for a short Session
51. Education (Wider Parental Choice) (Pilot Schemes)
52. Dock Work Regulation - recommended by QL for normal Session reserve list
53. Housing
54. Industrial Development
55. Development of Inventions
56. Civil Aviation
57. Consumer Safety (longer version)

58. Transport

59. Trustee Savings Banks - recommended by QL for normal Session reserve list.

Second Reading Committee

60. Agriculture