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6 April 1983

CABINET

SUMMARY OF BILLS PROPOSED FOR THE LEGISLATIVE PROGRAMME 1983-84

Note by the Secretary of State for the Home Department

My memorandum C(83) 9 contains recommendations for the legislative programme for next Session. In considering these recommendations colleagues may wish to refer to the attached summaries of the individual Bills listed in the Annexes to C(83) 9.

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Home Office

6 April 1983

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

ESSENTIAL

1. Coal Industry (Department of Energy): short.

- Purpose:
- i. To increase the borrowing limits of the National Coal Board.
 - ii. To extend the period during which the Secretary of State may make certain grants and payments in connection with the coal industry under previous Coal Industry Acts, and to raise the limits on certain of these grants and payments.
 - iii. To repeal the provision of the Coal Mining (Subsidence) Act 1957 which gives the NCB powers of entry where subsidence damage is in question.

Essential because existing powers to advance loans and make payments expire on 31 March 1984. Royal Assent is essential by then, and desirable by January 1984. The present limits on expenditure under the Redundant Mineworkers Payments Scheme are likely to be reached by late December 1983. Policy approval June, complete instructions July, introduction beginning of Session. Bill will be controversial as a vehicle for a general debate on the Government's policy towards the coal industry. Increase in borrowing power will create payments from and to the National Loans Fund, and charges on votes will arise from grants to the NCB and other payments. No manpower implications; consistent with ESCS obligations.

2. New Towns (Money) (Department of the Environment); short.

- Purpose: To increase the limit of borrowing by the New Town Corporations in England, Scotland and Wales.

Essential because the present borrowing limit will probably be reached by September 1984. Royal Assent likely to be essential by then. Policy approval can be sought, and drafting instructions prepared, whenever required. Not intrinsically controversial, but could be used for a general debate on new town matters. Committee Stage could be taken formally on the Floor of the Commons. No expenditure, manpower, or EC implications.

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NOTE: The Secretary of State for the Environment would prefer this Bill to be subsumed in a longer Bill which would also include provision to wind up the New Towns Commission and achieve an effective means of transferring housing and community related assets from the New Towns Corporations to local councils (the dissolution of some corporations has already been announced for 1984 and 1985). Without these provisions it certainly remains impossible to wind up the New Towns Commission and it may well prove impossible to wind up the New Town Development Corporations whose dissolution dates have been announced. The Bill will be supported on the Government's side but will be controversial with the Opposition. Policy approval to be sought as soon as possible; instructions end June. It would produce some capital receipts in later years, and permit reductions in the 6,500 employees of the New Town Corporations, some of whom would be transferred to local authorities. No EC implications. QL do not recommend the Bill in this extended form for either a short or a normal Session.

3. Social Security (Department of Health and Social Security); short.

Purpose: To amend social security legislation to comply with the EC Directive on equal treatment for men and women in social security, and to make other essential and technical amendments to that legislation.

Essential to enable the necessary changes to be brought into operation before the end of 1984 as required by the EC Directive. Policy approval expected shortly; instructions by April; introduction October/November 1983; Royal Assent before June 1984. Controversial: pressure groups and Opposition will argue for more extensive legislation. Cost up to £28 million in a full year unless nil cost package can be constructed (but cost of applying the EC Directive on the basis of existing legislation would be about £250 million in a full year from 1984-85 onwards). 200 staff to be found from existing DHSS allocation.

4. Shipbuilding (Department of Industry); very short.

Purpose: To increase British Shipbuilders' borrowing limit.

Essential because existing borrowing limit of £700 million is expected to be reached by March 1984, and can be increased by order by only a further £100 million, which does not give sufficient head room to take account of fluctuations in cash flow. Policy approval May; instructions June; introduction October; Royal Assent by May 1984. Not controversial. Increase in limits assumed in PES provisions; no manpower implications.

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5. Co-operative Development Agency (Department of Industry); short.

Purpose: Either to provide for continuation of CDA or to close it down.

Funding of CDA has reached statutory limits, so legislation is essential whether or not CDA continues. Policy approval for closure or continuation will be sought following a review in April/May. Bill should be ready for introduction by November 1983. Closure would be strongly opposed by the Labour Party and possibly the SDP. Continuation would involve some further support from Government, though Agency would increasingly generate fee income (cost of CDA in the five years to August 1984 will average about £300,000 a year). Manpower implications minimal.

6. Merchant Shipping (Department of Trade); very short.

Purpose: To specify the tonnage of ships to be used by the courts for limitation of liability purposes.

The Bill is essential to enable the UK courts to use the limitation tonnage specified in two international Conventions (following new Regulations in 1982 the information necessary to calculate the limitation tonnage for new, modified, or remeasured ships has not been available in the Register of Ships or on tonnage certificates). Policy approval given by E(EA); instructions in April; introduction at beginning of the Session; Royal Assent as soon as conveniently possible. Not controversial; suitable for Lords introduction, Second Reading Committee procedure in the Commons. Might be suitable as a Private Member's Bill. No expenditure, manpower, or EC implications.

7. International Monetary Arrangements (Treasury); short.

Purpose: To enable the UK to comply with its commitments to increase IMP resources, and to enable the Treasury to indemnify the Bank of England when it participates in international support operations.

Royal Assent originally requested by July 1984, but the Group of Ten, under pressure from the Chancellor of the Exchequer as Chairman of the Interim Committee of the IMF, has now agreed to accelerate the timetable with a view to all ten participants completing the necessary legislative and other procedures by the end of this calendar year. The Bill could be ready by the second half of April, and Legislation Committee will then decide whether, as the Chancellor has requested, the Bill can be fitted in to the current Session. If not, it will have to be passed as quickly as possible at the beginning of next Session. It may be a Money Bill, and it is unlikely to be politically controversial. Minor PSBR, but no manpower or EC implications.

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CONTINGENT

8. Insolvency Payments (Department of Employment); short.

Purpose: Depends on outcome of Court of Appeal judgement expected soon. The Bill would amend the Employment Protection (Consolidation) Act 1978 to correct anomalies arising from case law on insolvency notice payments.

Policy approval June; instructions July; introduction beginning of Session; Royal Assent desirable by end of January 1984. Uncontroversial; suitable for Lords introduction. Court of Appeal judgment could result in an increase of 100 staff in 1983-84; these would no longer be necessary after the enactment of the Bill. Effects on public expenditure depend on the Court's judgment; on the most likely outcome the Bill will save £0.8m a year. No EC implications.

9. Australia (Foreign and Commonwealth Office); short to medium.

Purpose: To give effect to a request by Australia for legislation to terminate most of the remaining constitutional links (dating from Federation in 1900/1901) with the United Kingdom. Some of the existing constitutional arrangements cause political difficulties within Australia, but the Australian Government do not intend to submit a formal request for UK legislation until agreement has been reached within Australia; this should avoid most of the difficulties experienced with the Canada Bill.

Policy clearance will be sought as soon as the Australian drafts are available; the Australians are anxious for Royal Assent in time for the new arrangements to come into operation on 1 January 1984. The Bill itself should be uncontroversial, but individual Members of both Houses may want to raise particular aspects of Australian policy on, for example, Aboriginal rights. Suitable for Lords introduction, but (as a constitutional Bill) would have to be taken on the Floor of the House of Commons at all stages. No expenditure, manpower, or EC implications.

10. Export Guarantees (Department of Trade); short to medium.

Purpose: To raise statutory limits on the commitments undertaken by the Export Credits Guarantee Department.

The need for a Bill in 1983-84 depends on the development of ECGD business, but it will be essential in 1984-85 if not enacted earlier. Wider powers in relation

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to investment insurance might be included, as well as certain technical adjustments. Could be ready for introduction at beginning of Session if necessary; Royal Assent April 1984. Uncontroversial; no manpower, expenditure or EC implications.

11. National Insurance Surcharge (Treasury); very short.

Purpose: To vary the rate of National Insurance Surcharge, possibly with special arrangements for local authority as in previous similar legislation.

Depends on decisions taken on NIS in course of 1983. Could be drafted very quickly. Second Reading in Commons November/December 1983; Royal Assent would be needed by February 1984 to give effect to new charges from 1 April 1984. Would be a Money Bill. Reduction in rate would be uncontroversial. There would be offsetting amendments to cash limits and corresponding arrangements for local authorities. No other expenditure, manpower, or EC implications.

PROGRAMME

12. Prevention of Marine and Food Pollution (Ministry of Agriculture, Fisheries and Food); short.

Purpose: To extend the powers to control dumping at sea to cover the disposal of wrecks, the dumping of imported waste, and charging for monitoring of dump sites; and to empower Ministers to make Orders prohibiting any activity connected with the production, processing, or marketing of food which might result in exposure of the public to radiation doses over the limits in the EC Council Directive 80/836.

Ministers would be vulnerable if there were a repetition of incidents such as that at Riafield or some of those at Sellafield and no powers had been sought. Little opposition to specific proposals (except possibly those on charging) expected, but general subject is sensitive, and there might be pressure for extension (particularly of radioactive waste provisions). Introduction of Bill could be represented as admission of possibility of accidents, particularly following Sizewell inquiry. Policy approval late April; instructions June; introduction October/November; Royal Assent desirable June 1984. Minor manpower and expenditure implications; no EC implications.

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13. Education (Overseas Students) (Definition) (Department of Education and Science)

Purpose: To restore position on discretionary awards and fees in relation to overseas students thought to exist before House of Lords judgment on 16 December 1982

[Depends on final decision on whether or not to legislate retrospectively this Session.]

14. Gas Safety (Department of Energy); short.

Purpose: To remedy defects in the enforcement provisions of current gas safety legislation and to strengthen the criminal sanctions available.

Gas safety is a matter of considerable public concern, and it is hoped that the Opposition will facilitate the passage of the Bill. Suitable for Lords introduction. Policy approval April/May; instructions May; introduction October; Royal Assent as soon as possible. No significant manpower or expenditure implications; no EC implications.

15. Prevention of Terrorism (Home Office); medium.

Purpose: To implement Jellicoe Report by repeal and replacement of Prevention of Terrorism (Temporary Provisions) Act 1976.

Controversial: official Opposition are opposed to continuation of present Act and to its replacement by modified legislation as proposed by Lord Jellicoe. SDP/Liberal Alliance should support. Policy already approved in principle; detailed policy approval and instructions in June; introduction November; Royal Assent desirable by March 1984 to avoid need for further renewal of 1976 Act.

SCOTTISH

16. Valuation and Rating (Scotland) (Scottish Office); short.

Purpose: To remove certain anomalies in the valuation for rating of racecourses, caravan sites and sports grounds in Scotland, and to improve the valuation appeal system in Scotland.

The excessive rates imposed on some Scottish racecourses etc are posing a serious threat to their continued existence. There is strong all-Party support

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for early corrective legislation, though it may be opposed by local authority interests. Valuation appeals provisions should not be controversial. Suitable for Scottish Grand Committee. Policy approval soon; instructions July/August; introduction start of Session; Royal Assent during 1984 in time for subordinate legislation to be in time for April 1985 revaluation. Effect of removal of anomalies neutral; changes in appeals arrangements could involve minor additions to administrative and/or judicial manpower and expenditure. No EC implications.

17. Irrigation (Scotland) (Scottish Office); short.

Purpose: To meet commitment to implement 3 year old recommendations of Scottish River Purification Advisory Committee on control of water abstraction for irrigation purposes.

No party political interest, though local authorities and Scottish River Purification Boards Association would have liked more extensive changes. Suitable for Private Member, Lords introduction, Scottish Grand Committee. Policy approval followed by instructions soon; introduction beginning of Session; Royal Assent by end Session. No EC, and negligible manpower and expenditure implications.

SECOND READING COMMITTEE

18. Somerset House (Management Powers) (Department of the Environment); very short.

Purpose: To clarify Secretary of State's powers of management in respect of Somerset House, and to remove a restriction limiting its use to public offices and buildings.

Powers are needed to permit leasing of part of Somerset House to London University for the Courtauld Institute for the display of fine art and as offices. Not intrinsically controversial though some conservation bodies may be concerned at the acquisition of leasehold disposal powers in relation to the whole building (necessary for good estate management). Suitable for Lords introduction and Second Reading Committee procedure; could be hybrid. Would be ready for introduction October 1983; Royal Assent as soon as possible. No manpower or EC implications. Leasing could reduce net Departmental expenditure.

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19. Death Certification (Miscellaneous Provisions) (Department of Health and Social Security); medium.

Purpose: To give effect to the recommendations of the Departmental Committee on Death Certification and Coroners on medical certificates of fact and cause of death and disposal of bodies; and to enact miscellaneous material affecting marriage fees and the Registration Service.

Recommendations have been outstanding for eleven years. There have been extensive consultations with the medical profession, coroners, and local authority associations. There is some public interest, particularly in cheaper and simpler cremation certification, but Bill should not be politically controversial. Suitable for Lords introduction and/or offer to a Private Member. Could be ready for introduction at start of Session; no deadline for Royal Assent. Overall effect on manpower and expenditure not very significant, though will be higher salaries for part-time coroners, increased expenditure on pathologists' fees, and possible need for more coroners' officers and mortuary staff.

20. Foreign Limitation Periods (Lord Chancellor's Office); short (8 clauses).

Purpose: To provide that where under English rules of private international law a foreign law is applied in proceedings in England the provisions of that law on limitations of actions should also apply and not, as now, the provisions of English law.

Would implement Law Commission recommendation. Basic draft Law Commission Bill already available; policy approval sought in March. Uncontroversial; suitable for Lords introduction. Could be introduced at beginning of Session; Royal Assent by end. No financial or manpower implications; conforms to relevant EC Convention.

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

PROGRAMME

21. Royal Ordnance Factories (Ministry of Defence); medium.

Purpose: To change the status of the Royal Ordnance Factories (ROFs) so that they operate under the Companies Act rather than as a Government Trading Fund, so that private capital can be introduced in due course.

Would implement declared Government policy; the Government's credibility demands early legislation. The Bill will be controversial. The official Opposition will resist but criticism may be muted if ROFs are kept together as a single group. Unlikely to be any major effect on central government expenditure though possible implications for certain staff matters, including superannuation, are being studied. On vesting day, all ROF staff would cease to be civil servants and would not therefore count as part of central government manpower. Instructions ready end of May. No EC implications if the Public Services Transfer of Functions Bill (no 24 below) precedes it into law.

22. Trade Union (Department of Employment); at least medium.

Purpose: To require secret ballots for elections in trade unions; possibly to bring up to date the Trade Union Act 1913, in particular by replacing contracting-out by contracting-in; and possibly to provide for mandatory secret ballots before strikes.

There is a clear public expectation that there will be early legislation following consultations on the Green Paper on Democracy in Trade Unions. Highly controversial. Minimal public expenditure and manpower and no EC implications. Policy clearance by early May 1983; instructions by end-June; ready for introduction in November.

23. Cable and Satellite Broadcasting (Home Office); medium/substantial.

Purpose: To set up a Cable Authority and provide a framework of rules within which cable systems can develop (possibly making consequential adjustments to broadcasting and telecommunications legislation) and to give statutory franchising powers, probably to the IBA, for commercial channels of direct broadcasting by satellite.

Some cable policy has already been decided. The rest will be set out in a White Paper, published probably early May, and debated in Parliament. Satellite

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broadcasting issues will not necessarily feature in the White Paper. Final policy clearance on all issues in June. Instructions in July; introduction early in the Session. Royal Assent by early summer 1984 if possible. Industrial interests keen on early progress. Broadcasting interests uneasy, and critical on detail. Some party political controversy and much detailed political interest, some of it critical. A Cable Authority would require start-up finance of about £2 million a year, but would eventually be self-financing. Minor manpower implications for the Home Office, no EC implications.

24. Public Services Transfer of Functions (Treasury); short or medium (10 to 15 clauses).

Purpose: To prevent payment of redundancy compensation in certain circumstances to civil servants and NHS employees when functions are transferred to the private sector; and to give powers to make payment to buy out detriment to terms and conditions of service.

Required because of risk to privatisation programme and to public expenditure if not enacted. Policy approval obtained. Important parts already drafted. Instructions March 1983, introduction beginning of Session. Royal Assent desirable as soon as possible but no specific target date. Likely to be opposed by all those opposed to the privatisation programme, but actual provisions may be less controversial. Civil Service and NHS unions will probably oppose some parts at least. No manpower implications. The powers to buy out detriment are intended to save public expenditure. Discussions with European Community needed before introduction (the Bill must not conflict with the Acquired Rights Directive).

25. Agricultural Holdings (Ministry of Agriculture, Fisheries and Food); short - a few clauses but a substantial schedule of amendments.

Purpose: To implement a package of proposals agreed between the National Farmers' Union and the Country Landowners' Association for changes in the agricultural holdings legislation. These are: (i) the family succession provisions of the Agriculture (Miscellaneous Provisions) Act 1976 should not apply to future lettings; (ii) a revision of the statutory formula for fixing farm rents; and (iii) a large number (nearly 100) of less important amendments which have been identified as needed. It is also proposed that the opportunity will be taken to introduce changes to the legislation relating to small-holdings with the aim of eliminating central Government involvement.

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Early implementation needed to arrest further decline in the landlord tenant system in agriculture. The Minister has said publicly that he wishes to legislate on the basis of the principles of the NFU/CLA agreement as soon as possible. Likely to be welcomed by the Conservative Party, but the Labour Party is expected to be strongly opposed to the family succession provisions. The NFU and CLA are deeply committed to their package but it does not find favour with the Farmers' Union of Wales. Policy approval by early April 1983. Instructions on bulk of minor issues in April; balance, including main issues, in May. Suitable for Lords introduction. No expenditure, manpower or EC implications for tenancy legislation but smallholdings legislation will have minor public expenditure implications arising from the commutation of annual payments to capital sums. The latter has been agreed with the Treasury.

26. Local Government (Department of the Environment); substantial.

To implement decisions yet to be taken by the Cabinet.

27. Local Government Rating and Expenditure (Department of the Environment); substantial.

To implement decisions yet to be taken by the Cabinet.

28. Matrimonial Causes (Lord Chancellor's Department); substantial - about 50 clauses and 4 Schedules.

Purpose: i. To amend guidance to courts on financial provision after divorce (8 clauses, 2 Schedules).

ii. To change the time bar on divorce petitions from discretionary three years to absolute one year, with relaxation of the one year bar for certain nullity petitions (4 clauses).

iii. To provide financial relief in Great Britain for parties to foreign divorces (25 clauses).

iv. To amalgamate the matrimonial jurisdiction of the High Court and County Courts (12 clauses, 2 Schedules).

Items i. ii. and iii. have policy approval. Clauses on all three items have already been drafted. Item iv. is subject to consultation, but policy approval will be sought in June 1983; instructions late June or July. Items i. to iii. controversial, but in non-party terms; item iv. will be welcomed in principle but possible thought by some to be inadequate. Item i. may mean small increase in work of courts and in claims for social security; ii. offers small savings in legal aid and court time;

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social security savings on iii. likely to be greater than increase in legal aid;
iv. might lead to small savings. Suitable for Lords introduction; possible
candidate for Special Standing Committee in Commons. Royal Assent by end Session.
No EC implications.

29. Public Transport (London) (Department of Transport); uncertain, possibly
substantial.

Purpose: To provide for the establishment of a London Regional Transport
Authority (previously described as the Metropolitan Transport
Authority). As a first stage, the LRTA is to be formed from a
reconstituted London Transport Executive (LTE). It will be
responsible for planning public transport serving London,
allocating grant between the transport operators and approving
investment in them. Under Stage 2, it would take over powers to
subsidise BR commuter services, to establish subsidiary bus and
underground undertakings and to make arrangements with
independent operators to provide services. There will be
consequential amendments to the general transport duties of the
GLC.

Broad policy already approved. Instructions May/June 1983. Bill ready for
introduction October/November. No particular timing constraints, though the sooner
the Secretary of State takes over responsibility for the LTE after the announcement
has been made the less opportunity there will be for the GLC to take any disruptive
action. Emergency powers may be needed if such action were to take the extreme
form of non-payment of grant to LT. Possibly hybrid. Highly controversial. In
PES terms broadly neutral. Savings in GLC manpower would outweigh any possibly
modest increases in LTE or departmental manpower. No EC implications.

SCOTTISH

30. Local Government (Miscellaneous Provisions (Scotland)) (Scottish Office);
medium (20 to 25 clauses).

Purpose: i. To amend certain anomalies in the valuation system in
Scotland in relation to racecourses, sports grounds and
caravans.
ii. To implement decisions on rating yet to be taken by the
Cabinet (the Scottish equivalent of the English Local
Government Rating and Expenditure Bill).

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Collective policy approval for item i. to be sought. Instructions on item i. by end of July 1983; ready for introduction by November. Item ii. highly controversial, and time-consuming; should free rates or limit rate increases but might involve a significant increase in public sector manpower. Desirable to have Bill in force during the 1984-85 financial year and before the next general revaluation in April 1985. Possibly suitable for Scottish Grand Committee. Possibly some EC implications for item ii.

31. Roads (Scotland) (Scottish Office); long.

Purpose: To re-enact in modern form the roads provisions in the Burgh Police (Scotland) Acts 1892 and 1903 and equivalent local Acts; to implement certain recommendations of the Stodart Committee; to enact for Scotland several provisions already available in England and Wales, and to re-enact certain old provisions to prepare for consolidation of Scottish roads legislation.

Collective policy approval given in April 1982. Instructions by April 1983; ready for introduction in November. Royal Assent by November 1984 desirable, or the life of the roads provisions of the Burgh Police Acts will have to be prolonged by Order. Suitable for Lords introduction and for Scottish Grand Committee. The Bill could lead to a net increase in public expenditure of about £2 million in the first year and £1 million a year thereafter, mainly in connection with imposing a duty on highway authorities to clear snow from footpaths. The increase would be offset by adjustments in other expenditure within PES provision. No manpower or EC implications.

32. Inshore Fisheries (Scotland) (Scottish Office); short.

Purpose: To amend the outdated and complex legislation governing sea fisheries in Scottish inshore waters.

Policy clearance to be sought. Instructions early Summer; ready for introduction October/November 1983. Suitable for Lords introduction and for Scottish Grand Committee. There is strong pressure for the legislation, which Ministers have promised as soon as possible. Measures to prevent damage to one fishing method by another would be controversial, but might be left to subordinate legislation. No public expenditure or manpower implications. The Bill does not fulfil any EC commitments but would need to be notified to the Commission for clearance.

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SECOND READING COMMITTEE

33. Prevention of Discrimination Against Sikhs (Home Office); very short
(1 or 2 clauses).

Purpose: To ensure that Sikhs are protected by the Race Relations Act 1976.
Probably no longer needed in the light of the judgment of the House of Lords on 24th March 1983. If needed, would be ready for introduction at start of Session. Suitable for Lords introduction and Second Reading Committee. No public expenditure, manpower or EC implications.

34. Repatriation of Prisoners (Home Office); short.

Purpose: To enable implementation of the Council of Europe Convention on the Transfer of Sentenced Persons and other agreements by empowering the Secretary of State to authorise the transfer of foreign prisoners from the UK to complete their sentence in their own countries, and the imprisonment of British prisoners transferred from other countries to complete their sentences in UK prisons. The Bill would cover juveniles. With British prisoners transferred to the UK, the Secretary of State could in some circumstances substitute a non-custodial sentence other than a financial one.

Collective policy approval to be sought in April. Instructions by end June; introduction December 1983. Early Royal Assent desirable. Suitable for Lords introduction and Second Reading Committee. There is pressure for the Bill from National Council for the Welfare of Prisoners Abroad. It is likely to receive all-party support. The question of transferring terrorist prisoners will undoubtedly arise. No EC implications. About £100,000 a year would have to be met from existing PES provision. Possible minor manpower implications for Foreign and Commonwealth Office.

35. Insurance Law Reform (Department of Trade); medium.

Purpose: To reform the law on non-disclosure and breach of warranty in relation to consumer insurance contracts, as recommended by the Law Commission in October 1980.

Bill drafted by Law Commission. Policy approval March 1983; instructions for any amendments mid-May. Introduction start of Session, Royal Assent by end. Not controversial in political terms, but insurance lobby may say it goes too far, consumer lobby not far enough. Suitable for Lords introduction and probably Second Reading Committee. No manpower, expenditure or EC implications.

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36. Fosdyke Bridge (Department of Transport); very short.

Purpose: To repeal those provisions of a private Act, the Fosdyke Bridge Transfer Act 1970, which require the Fosdyke Bridge to be constructed so as to allow river traffic to trade up the River Welland.

The existing swing bridge is coming to the end of its life and is increasingly expensive to maintain. Building a new fixed bridge will be much cheaper, and will save operating and maintenance costs. Policy clearance in April; instructions late April 1983, introduction October/November. Royal Assent by end of 1983-84 Session desirable. A hybrid Bill. Suitable for Lords introduction and Second Reading Committee. Should be uncontroversial and apolitical. Will allow Department to remove from the trunk road programme the £1.4 million (1978 prices) scheme for the Fosdyke Bridge bypass and replace it with a regional scheme costing about £0.8 million (1980 prices). No EC implications.

37. Occupiers' Liability (Lord Chancellor's Department); short (about 5 clauses).

Purpose: i. To clarify duties of occupier towards persons who come on his land without permission (Law Commission recommendations).

ii. To remove protection of Unfair Contract Terms Act 1977 from recreational visits to the countryside, as regards injuries caused by the state of the premises.

Policy approved; instructions with Counsel and draft Bill expected shortly. Little opposition expected: strongly supported by recreational groups and landowners. Royal Assent by end of Session. Suitable for Lords introduction and Second Reading Committee. No manpower, expenditure or EC implications.

38. Illegitimacy (Lord Chancellor's Department); substantial (about 42 clauses, 5 Schedules).

Purpose: To remove provisions of the law which discriminate against illegitimate children, and to widen powers of courts to make orders for maintenance and as to parents' rights.

A Bill has been drafted by the Law Commission. Policy approval May or early June 1983; instructions for any amendments immediately thereafter. Suitable for introduction in the Lords; slim possibility that consultations now in hand might call in question its suitability for Second Reading Committee. Royal Assent by end of Session. Increase in legal aid and judicial etc manpower partly offset by shift

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in maintenance from State to parents. No EC implications.

39. Legal Aid Remuneration (Lord Chancellor's Department); short.

Purpose: To provide regulation - making powers to bring lawyers' remuneration for civil legal aid and advice in England and Wales under direct Government control.

The Bill will make similar provision for England and Wales to this Session's Divorce Jurisdiction, Court Fees and Legal Aid (Scotland) Bill. No drafting or policy problems expected, but consultations might not be completed before June. Legal profession may oppose, but scope for debate limited. The Cabinet's agreement in January 1983 to interim payments for legal aid work was conditional on steps being taken to get the system under better control. Public expenditure and manpower implications depend on timing and content of regulations. Lords introduction preferred. Royal Assent by end Session. No EC implications.

40. Pensions Commutation Board (Treasury); short.

Purpose: To abolish the Pensions Commutation Board and transfer its functions to Departments.

Policy now being sought; instructions already drafted; some drafting work has already been done. Introduction at beginning of Session. Would constitute a useful administrative reform but not critical. Expected to be wholly uncontroversial. No special date for Royal Assent. Suitable for Second Reading Committee; possibly suitable for a Private Member. Some minimal manpower and expenditure savings expected. No EC implications.

41. Trustee Savings Banks (Treasury); length uncertain but probably medium.

Purpose: To make statutory provisions needed to enable Trustee Savings Banks (TSBs) to become an independent group of banks in the private sector, including the removal of the Treasury's statutory controls over and responsibility for the TSBs; the establishment of a new structure of ownership, accountability and control for the TSBs under the Companies Acts, and amendment or repeal of existing statutes; vesting of the assets of existing TSBs in new Companies Acts TSB companies; amendment of statutory provisions governing the rights of depositors with TSBs; and (possibly) minor amendments on the TSBs to the Banking Act 1979.

Agreement has been reached with the TSBs and delay could be to their commercial disadvantage. Legislation must be implemented to meet EC obligations by end 1985.

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no other deadline for Royal Assent. Collective policy clearance and instructions probably end April. Should be ready for introduction at beginning of Session. Suitable for Lords introduction. Not hitherto party political; unlikely to be controversial. No public expenditure or significant manpower implications.

42. Dock Work Regulation (Department of Employment); very short - 3 clauses.

Purpose: To repeal provisions of the Dock Work Regulation Act 1976 which require the Secretary of State to bring forward a new Dock Labour Scheme which might be extended to new work. Provisions constituting the National Dock Labour Board as a body corporate and those relating to loans to it would remain.

This Bill was in the 1982-83 programme, but the timing of its introduction must take account of the possible industrial repercussions. It has policy clearance and has been drafted. No special date for Royal Assent. The Bill will be opposed by the official Opposition and by the Dockers' Unions, principally the TGWU. Employers' organisations will support the Bill, and some may well press for it to include the repeal of the Dock Workers (Regulation of Employment) Act 1946.

43. Housing (Scotland) (Scottish Office); medium

- Purpose:
- i. To extend to Scotland certain amendments to the right to buy for public sector tenants which for England and Wales are being made in this Session's Housing and Building Control Bill.
 - ii. To encourage first time buying and shared ownership in Scotland.
 - iii. To place a statutory limit on the extent to which local housing authorities can make contributions from their rate funds to housing revenue accounts.
 - iv. (Possibly) to provide the right to buy to housing association tenants in Scotland.

Item iii. might be included in the Local Government (Miscellaneous Provisions) (Scotland) Bill; it would be highly desirable for control of public expenditure. The Bill as a whole would be ready for introduction by November 1983. Suitable for Scottish Grand Committee. Highly controversial. Generally favourable public expenditure and manpower implications. No EC implications.

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MAIN BILLS STRONGLY PRESSED BY MINISTERS,
BUT NOT RECOMMENDED BY QL

I SHORT SESSION

44. Education (Grants to Local Authorities) (Department of Education and Science): short.

Purpose: To empower the Secretary of State to make provision by regulations for specific grants to local education authorities so as to encourage redeployment of resources at the margin in line with national educational priorities.

The Select Committee on Education, Science and the Arts (chaired by an Opposition Member) has recommended that the Secretary of State should have this power. Its controversiality may depend on the proportion of total education expenditure to be eligible for specific grant. Policy already approved; instructions June; introduction October 1983; Royal Assent desirable early summer 1984, to permit regulations to be made before the 1985-86 RSG settlement. No net addition to public expenditure; implications for central government manpower depend on purposes to which grant put, but any additions likely to be limited. No EC implications.

45. Trade Union (Department of Employment): short/medium.

Purpose: To enact in a short Session the provisions dealing with election to union offices (and possibly those to provide for secret ballots before strikes) contained in the longer Trade Union Bill recommended by QL for a normal Session (no 22 - q.v.).

46. Local Government Rating and Expenditure (Department of the Environment): short to medium.

Purpose: To enact in a short Session selected provisions of the full Bill (no 27 - q.v.) recommended by QL for a normal Session.

47. Consumer Safety (short version) (Department of Trade): short

Purpose:

1. to require suppliers and importers of goods to ensure that they comply with safety regulations or approved standards;
- ii. to give enforcement officers wider powers, including powers of seizure;

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- iii. to prohibit the importation of goods which do not comply with safety requirements;
- iv. to apply the powers of investigation and enforcement in the Consumer Safety Act 1978 to requirements under the Consumer Protection Act 1961.

The Bill would respond to public pressure to prevent the importation and marketing of unsafe goods, though it may be opposed by some importers and certain sections of industry and the retail trade. Unlikely to be controversial in party terms, but some Members and Peers may criticise the increased duties placed on traders, and the extended enforcement powers. Policy approval currently being sought; instructions September; introduction in November 1983. Manpower implications for Customs and Excise; local authorities will argue for additional trading standards staff. EC Commission will need to be satisfied that there is no threat to free movement of goods.

48. Public Services Transfer of Functions (Treasury): short to medium.

Purpose: As for Bill recommended by QL for normal Session (no 24 - q.v.).

49. Trustee Savings Banks (Treasury): probably medium

Purpose: As for Bill recommended by QL for normal Session reserve list (no 41 - q.v.).

II NORMAL SESSION

50. New Towns (Department of the Environment): medium.

Purpose: See Bill no 2.

51. Education (Wider Parental Choice) (Pilot Schemes) (Department of Education and Science): short.

Purpose: To permit the Secretary of State to promote pilot educational voucher schemes to provide wider parental choice in both independent and maintained schools.

Highly controversial because of major changes in favour of independent schools and because of local government antipathy to side specific grant powers for education. Policy under collective consideration; instructions June; introduction October; Royal Assent well before Easter 1984 to enable pilot schemes

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to be established by September 1984. Additional expenditure and manpower requirements depend on nature of schemes and number of participating authorities, but will be substantial. No EC implications.

52. Dock Work Regulation (Department of Employment): short.

Purpose: As for Bill recommended by QL for normal Session reserve list (no 42 - q.v.).

53. Housing (Department of the Environment): medium

Purpose: i. To extend assured tenancies to conversions and improvements, and to make technical adjustments to assured tenancy arrangements.

ii. To provide a revised and simplified system of home improvement grants and area improvement procedures, and to provide a clearer statutory basis for the improvement of whole streets of houses at one time (enveloping).

iii. To provide for a scheme of financial assistance for private owners of defective system-built houses purchased from public authorities.

On items i. and ii. there is reasonable agreement on need for legislation; subject to policy clearance, instructions could be completed by end July, introduction fairly early in the Session. No deadline for Royal Assent. Small increase (not allowed for in PES) in rent allowance expenditure, plus small revenue loss if parallel provision in Finance Act: total addition less than £5 million a year. No manpower or EC implications. Item iii. is already being urged on both sides of the House of Commons. Policy clearance to be sought (and financial implications explored) in May; instructions end July.

54. Industrial Development (Department of Industry): short to medium.

Purpose: To make provision for financial assistance to certain industries in certain regions, and to repeal some provisions of the Industrial Development Act 1982.

Proposals depend on decisions on recommendations of Report on Regional Policy (the Quinlan Report). Ministers are disposed towards changes which would require legislation. Controversial, but extent depends on precise nature of proposals; great interest from Members whose constituencies have or are likely to seek Assisted Area status. Policy approval not before June; instructions October.

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November; introduction late January 1984; Royal Assent by end Session. Possible financial savings, but increased complexity implies higher manpower requirement. Commitment given to EC Commission that regional aid system will be changed by 1984.

55. Development of Inventions (Department of Inudstry); medium (15 to 20 clauses, 2 Schedules).

Purpose: To formalise the merger of the National Enterprise Board and the National Research and Development Council and to transfer their assets and liabilities to the British Technology Group, a new body to stimulate transfer of new technology into British industry; and to enable it to undertake activities which are inconsistent with the present legislation.

Detailed policy clearance should be possible end-May; instructions three to four weeks later; introduction beginning of Session; Royal Assent by end. Government supporters likely to welcome rescinding of NEB legislation; Opposition likely to demand more interventionist organisation. New body should lead to administrative savings of £1-2 million a year compared with NEB and NRDC. Contents of Bill to be notified to EC; no problems expected.

56. Civil Aviation (Department of Trade); medium.

Purpose: i. To provide for a capital reconstruction of British Airways
(~~about 12 clauses~~).

ii. To enable the Secretary of State to regulate the number of aircraft movements at London airports.

iii. To enact miscellaneous airport and air safety provisions.

Item i. is an essential preliminary to privatisation of British Airways; item ii. and iii. could be postponed to limit length of Bill. Policy approval for item i. in September, instructions October. Policy approval for items ii. and iii. in June, instructions early September. Introduction December 1983.

Royal Assent March 1984 highly desirable to permit reconstruction by end financial year, privatisation in 1984-85. Privatisation highly controversial, mainly in party terms, but also with opposition from some private sector airlines. Other provisions less controversial. PSBR effect broadly neutral; no manpower implications. EC Commission to be consulted; unlikely to object.

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57. Consumer Safety (longer version) (Department of Trade); medium.

Purpose: i. As for the shorter Consumer Safety Bill at 47 above.

ii. To impose a general duty not to supply goods not judged safe by reference to sound modern practice; goods complying with regulations or standards approved by the Secretary of State would be deemed to comply. Non-compliance might be offence or grounds for seizure.

Policy approval for White Paper being sought; instructions September; introduction January 1984; Royal Assent by end of Session. Other considerations as for the short Bill at 47 above, except that general duty will be controversial, and may be criticised by Law Lords.

58. Transport (Department of Transport); length uncertain - short to medium.

Purpose: i. To permit transfer of the National Bus Company to the private sector.

ii. To empower local authorities to carry out works to mitigate lorry nuisance (including noise insulation of houses) in lorry action areas.

On item i., policy clearance by mid or late April; instructions late June or early July; Royal Assent desirable by summer 1984. Item i. highly controversial will be opposed by local authorities, unions, some Government backbenchers and all Opposition parties. Item i. gives benefit of £100-£150 million in year of sale; small savings in NLF borrowing thereafter; 50,000 National Bus Company employees to private sector. On item ii, instructions late May or June. Bill ready for introduction start of Session. Ministers have a strong commitment to item ii, which will be welcomed; no significant call on expenditure or manpower. Bill has no EC implications.

59. Trustee Savings Banks (Treasury); probably medium.

Purpose: As for Bill recommended by QL for normal Session reserve list (no. 41 - q.v.).

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60. Agriculture (Ministry of Agriculture, Fisheries and Food); medium.

- Purpose:
- i. Animal welfare: to amend the Slaughter of Poultry Act 1967 to implement Farm Animal Welfare Council recommendations.
 - ii. Animal health: to amend the Animal Health Act 1981 (including extending powers of entry) and the Medicines Act 1968.
 - iii. Livestock improvement: to repeal statutes on bull and stallion licensing and to provide powers to control new techniques in cattle breeding and to charge for certain Ministry costs.

Policy clearance and instructions by end May 1983; ready for introduction at start of Session. Largely uncontroversial although failure to act upon i. may attract adverse criticism. Powers of entry may be sensitive. Charging provisions of iii. might not be welcomed. Suitable for Second Reading Committee. Item ii. will save £100,000 a year and item iii. will save £200,000 a year. No significant manpower or EC implications.

5th April, 1983.

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