

cc: Hmt Govt HS
LPO
D/Tr Machinery
C.O.



Fue

10 DOWNING STREET

From the Private Secretary

30 May 1979

B.F. 14/6

Dear Paul

The Prime Minister has considered your Secretary of State's minute of 24 May, about arrangements for handling overseas development matters.

She notes that a Transfer of Functions Order will be required. While she is not attracted by the lengthy title that your Secretary of State wishes to apply to Mr. Marten's position, she is content to accept his recommendation.

In respect of Cabinet arrangements, the Prime Minister wishes to emphasise that the manner in which Lord Carrington submits papers to Cabinet is entirely a matter for him, but that they must go forward as his papers. However, if Lord Carrington nominates Mr. Marten to attend a Ministerial Committee, he must do so as the representative for the Foreign and Commonwealth Office for that item. The Prime Minister would not wish the Foreign Office to be represented at Ministerial Committees by two Ministers, other than in those Committees where both the Secretary of State and the Lord Privy Seal are required to attend.

The Prime Minister is content with the internal arrangements proposed by Lord Carrington in respect of relations with the Treasury, but she emphasises that these must remain Lord Carrington's responsibility. She is also content with the proposals in respect of relations with the Civil Service Department. The Prime Minister would be grateful for more information about the proposed management review of ODA. She is not convinced that this is necessary at this stage, given various other work which she has commissioned on the machinery of Government.

The Prime Minister regards these arrangements as purely internal, and therefore sees no need for an announcement in the House.

I am copying this letter to Martin Hall (H.M. Treasury), Jim Buckley (Lord President's Office), Tom Harris (Department of Trade) and Martin Vile (Cabinet Office).

Yours ever
Mike Pattison

Paul Lever, Esq.,
Foreign and Commonwealth Office

PRIME MINISTER

Lord Carrington's minute at A sets out his proposals for Mr. Marten's responsibilities. Sir John Hunt offers comment at B.

Paragraphs 6 - 9 of Lord Carrington's minute are, as Sir John Hunt observes, essentially housekeeping points. The main points for decision are Mr. Marten's title (paragraph 3), the proposal that he may submit papers to Cabinet under cover of a note from Lord Carrington (paragraph 4), and the proposal that he might in the future be nominated for Ministerial Committees, possibly with another Foreign and Commonwealth Office Minister in attendance on occasion. ^(para 5) Sir John Hunt has commented on the two latter points in his paragraph 3: he sees no major difficulty.

Are you content with these proposals, subject to the comment that you expect them to be reflected in practice by a much closer relationship of our aid programme to our overall foreign policy.

MAD

① How Lord Carrington submits papers to Cabinet for his dept. is a matter for him. That they are his papers. None others are admitted.

29 May, 1979.

② If Neil D. comes to Ministerial Committees he comes as the representative of the F.O. for that item. The only place we have 2 F.O. Ministers is Cabinet & that is an accident of peerage not of the F.O.

Ref. A09645

MR. PATTISON

You asked if we wished to comment on the Foreign and Commonwealth Secretary's minute of 24th May about future handling of matters relating to overseas development.

2. I have no comment on paragraphs 2 and 3 of Lord Carrington's minute dealing with the Transfer of Functions Order and the new titles involved. Similarly I have no comment on the essentially housekeeping points dealt with in paragraphs 6-9.

3. I paused over paragraphs 4 and 5 which envisage Mr. Marten putting papers to Cabinet and also becoming a member of Ministerial Committees where development considerations are predominant. I doubt whether the Prime Minister would welcome anything which looked as though the ODA would be free-standing vis-a-vis Cabinet or Cabinet Committees, and it will be important to show that the change is one of substance and not merely presentation. However I think that an element of face-saving has been going on. In fact paragraph 4 makes it clear that Mr. Marten cannot put papers to Cabinet direct: and paragraph 5 does not seek any decision at the present time.

4. I suggest therefore that the Prime Minister could agree to these proposals (which apparently flow from extensive discussion between Ministers and Permanent Secretaries!) though she may want to comment to the effect that, while she is content with the proposals, she expects them to be reflected in practice by a much closer relationship of our aid programme to our overall foreign policy.


JOHN HUNT

29th May, 1979



PM/79/46

PRIME MINISTER

1. We have made it clear publicly that I am to be responsible for overseas development and that there will be no separate Minister of Overseas Development. I have been considering the best way of implementing this decision.

✓ 2. I am advised that to carry out the reorganisation there will have to be a Transfer of Functions Order transferring the functions of Minister of Overseas Development to me and bringing about the lapse of the title. This will require an affirmative resolution. But in practice the new arrangements will be put into effect immediately.

!!! 3. I propose that the present ODM be converted into an Overseas Development Administration within the FCO. Neil Marten, in his capacity as Minister of State for Foreign and Commonwealth Affairs, will be responsible to me for overseas development. I propose that his title should be Minister of State for Foreign and Commonwealth Affairs and Minister for Overseas Development. This is unwieldy, but it is important that he should be seen in his dealings with Ministers and others from governments overseas to be the "Minister for Overseas Development" (there is of course an analogy for this in certain other Departments). *Keep him like minister (rank of status). Not the other way round.*

4. I also propose that on occasions when Neil Marten thinks that issues in his field merit reference to Cabinet, he will prepare a memorandum for me which I will then pass on to Cabinet under a covering paper.

5. I would further propose to nominate Neil Marten for membership of Ministerial Committees where development considerations are predominant. There may be occasions when it would be appropriate for another FCO Minister to attend as well. *→ No*

6. For practical reasons I am proposing to authorise Neil Marten on my behalf to conduct the normal relations of a spending department direct with the Treasury. Sir Peter Preston, currently Permanent Secretary of the ODM and the senior official in the ODA, will remain Accounting Officer in respect of ODA affairs. *Lord C still responsible,*

/ 7.

24 MAY 1979





7. I also intend to authorise Neil Marten to deal direct with the CSD on relevant ODA matters, keeping me informed as necessary. The staff of ODM are Home Civil Servants. At official level Sir Peter Preston will be responsible to Neil Marten on all personnel and related matters affecting the ODA.

What's for?
8. It is convenient that a management review of ODM (now ODA) has already been arranged to begin in October. This will provide an opportunity to look further at organisational questions.

9. I am proposing that the Staff Sides of both Offices should be informed in detail of these arrangements and given an assurance that there is no intention at this stage to vary their terms of service or the general arrangements for discharging their tasks.

As the House will be asked to consider this.
10. If you agree with these proposals you will no doubt wish to make an announcement in the House. I attach a provisional draft written reply for consideration.

11. I am copying this minute to the Chancellor of the Exchequer, the Lord President of the Council, the Secretary of State for Trade and to Sir John Hunt.

C

(CARRINGTON)

Foreign and Commonwealth Office

24 May 1979

DRAFT WRITTEN REPLY BY THE PRIME MINISTER

The Government attach great importance to overseas aid and development as an aspect of our relations with the developing countries of the world. My noble Friend the Secretary of State for Foreign and Commonwealth Affairs has assumed full responsibility for these matters, and a Transfer of Functions Order will be laid transferring to him the functions of Minister of Overseas Development. The present Ministry of Overseas Development will become an Overseas Development Administration within the Foreign and Commonwealth Office. Responsibility under the Secretary of State for questions on overseas development rests with my Honourable Friend Mr Neil Marten, MP, Minister of State for Foreign and Commonwealth Affairs and Minister for Overseas Development.

Cont Machinery

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10 DOWNING STREET

From the Principal Private Secretary

23 May 1979

Machinery of Government Changes

Thank you for your letter of 17 May reporting on where we stand with regard to the various machinery of government changes. This all seems satisfactory and we have nothing to add.

K. R. STOWE

David Laughrin, Esq.,
Civil Service Department.

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Mh



10 Downing Street
Whitehall

~~Mr. Sanders~~

Thank you for letting me
see the attached.

Behind the scene discussions
seem to have found a way through
(or round in the case of Transport!) the
recent machinery of government changes.
So be it.

Paragraph 4. There is a
Department of Transport which is headed
by a minister of Transport who is
paid as a minister of State.

22.11.59.

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Copy on Minutes, May 1979
(Status of Min. Trans)



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Sir Ian Bancroft KCB
Head of the Home Civil Service

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K R Stowe Esq. CB
10 Downing Street
London SW1

await further paper from
FCO re ODM: note BPCP
and Transpat, which PM
need not see. MAF 2/1/79.

Mr. Patterson
Mr. Sanders.
Some need to do
more than note this?
I have nothing to
add. ms
KRS
22/1/79

17 May 1979

Dear Ken,

MACHINERY OF GOVERNMENT CHANGES

At Sir Ian Bancroft's request I am sending you a report on the administrative and legal aspects of implementing the machinery of government changes which the Prime Minister has made and which he has discussed with the Permanent Secretaries concerned. He has minuted separately about the transfer of the Arts responsibilities on which there is a point for decision by the Prime Minister. In the light of that, work can immediately proceed on the preparation of the necessary Transfer of Functions Order which will take two to three weeks to prepare.

Overseas Development

2. We understand that Lord Carrington is considering the most suitable arrangements for the absorption of the Ministry of Overseas Development within the Foreign and Commonwealth Office and his office will be writing to you, hopefully this week. In due course a Transfer of Functions Order, subject to affirmative resolution, will be needed if ODM is to be formally dissolved but meanwhile there is no difficulty legally as Lord Carrington has authority for the overseas development functions having been appointed Minister of Overseas Development as well as Secretary of State for Foreign and Commonwealth Affairs.

Prices and Consumer Protection

3. The Department of Prices and Consumer Protection, as it existed at dissolution, becomes part of Department of Trade. Since the bulk of DPCP's functions were vested in the Secretary of State "at large", the transfer can be achieved administratively and the Secretary of State for Trade can discharge nearly all the DPCP responsibilities straight away. A tidying up Transfer of Functions Order, subject to negative resolution, will however be required to transfer to the Secretary of State for Trade those functions currently vested in the Secretary of State for Prices and Consumer Protection by name. There is no urgency in this but the Order should be ready in the next week or two.

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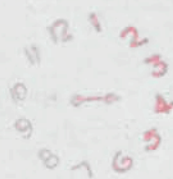
Transport

- ✓
4. The creation of the post of Minister of Transport involves no administrative changes in the Department of Transport which will continue in being as at present. However, we are advised that a Transfer of Functions Order, subject to negative resolution, will be required to transfer to the new Office of Minister of Transport the transport functions which are currently vested either in the Secretary of State "at large" or in the Secretary of State for Transport by name. The Order is in draft and is expected to be ready for the next meeting of the Privy Council on 23 May. In the remaining days before that Order comes into effect, the Minister of Transport can in practice discharge the responsibilities in the transport field although formal instruments will have to be signed by a Secretary of State or by someone authorised by a Secretary of State.
 5. The information in this minute on legal points has been cleared with Sir Henry Rowe, First Parliamentary Counsel.
 6. I am sending a copy of this minute to the Private Secretaries of the Secretary of State for Foreign and Commonwealth Affairs, of the Secretary of State for Trade and of the Minister of Transport.

Yours sincerely,
David

DAVID LAUGHRIN
Private Secretary

17 MAY 1979



CONQUEROR



PRIME MINISTER

To see.

MS

MR K R STOWE

MACHINERY OF GOVERNMENT CHANGES: DPCP AND ODM

I understand that the Prime Minister would welcome notes dealing with the abolition of the Department of Prices and Consumer Protection as a separate department and the merger of the Ministry of Overseas Development in the Foreign and Commonwealth Office.

... I attach notes on both these possibilities with this minute.

2. My own view is that both changes would on balance be desirable and they could, I believe, be achieved without a significant degree of disruption, although I have not at this stage consulted the Permanent Secretaries of the Departments concerned about the detailed administrative implications.

RB

IAN BANCROFT
4 May 1979

DEPARTMENTAL ARRANGEMENTS FOR OVERSEAS AID AND DEVELOPMENT

Background

The ODM was first established in 1964 by bringing together the overseas technical assistance functions of the Department of Technical Co-operation; the overseas aid policy functions of the Foreign Office, the Commonwealth Relations Office and the Colonial Office; and certain analogous functions of other departments. From October 1964 to August 1967 the department was headed by a Cabinet Minister; and it remained in existence as a separate department, not represented in the Cabinet, until November 1970 when its departmental functions were transferred to the Secretary of State for Foreign and Commonwealth Affairs. The ultimate responsibility for overseas aid was assumed by the Secretary of State, but development work was carried out by a functional wing of the unified Department, the Overseas Development Administration, responsibility for which rested with the Minister for Overseas Development - a Minister of State at the Foreign and Commonwealth Office.

2. Following the February 1974 election a separate Department was re-established. The bulk of the new responsibilities of the Minister of Overseas Development were transferred by the Minister of the Crown Act 1974, and the remainder were transferred subsequently by Order. Under the amendments which were made at that time to the legislation governing the payment of Ministerial salaries, it is, however, only possible to pay a salary to a Minister of Overseas Development by virtue of that office if its holder is not a member of the Cabinet. Mrs Hart, who held the post of Minister of Overseas Development until June 1975, was not a member of the Cabinet. However, since June 1975, the posts of Secretary of State for Foreign and Commonwealth Affairs and Minister of Overseas Development have been held concurrently. This made it possible for Mr Prentice to be appointed as a Minister of State in the Foreign and Commonwealth Office with the title of Minister for Overseas Development, to have a seat in the Cabinet, and to draw a Cabinet level salary, while in practice taking day-to-day charge of ODM which remained in being as a separate Ministry. The Secretary of State for Commonwealth and Foreign Affairs, however, as the holder of the office of Minister of Overseas Development and the

Department's titular head had to make certain outside appointments and, for example, to sign loan agreements. There was a further change in the position when Mrs Hart took over from Mr Prentice in February 1977. Like Mr Prentice, she held office as a Minister of State in the Foreign and Commonwealth Office, but was not a member of the Cabinet. This was the position at Dissolution.

Functions and Structure

3. The ODM formulates and carries out policies to help economic development in less developed countries and is responsible for the management of the aid programme as a whole. It is responsible for the inter-Governmental Agreements under which aid is dispersed; the terms on which aid is offered (including methods of procurement); the appointments and terms of service of British experts; and relations with other organisations concerned with developmental assistance, including international bodies such as the specialised agencies of the United Nations. It contains a number of scientific and technical units providing technical assistance; and it is responsible for the administration of most of HM Overseas Civil Service. It sponsors a number of fringe bodies including the Crown Agents and a large part of the work of the British Council is charged on its behalf.

4. Under the last Administration the Minister for Overseas Development was assisted by a Parliamentary Secretary. The permanent staff of the ODM (with a few exceptions) are members of the Home Civil Service, although most aid work in our Missions abroad is carried out by members of the Diplomatic Service. It has a total staff of the order of 2400 (all but approximately 75 of whom are at HQ) with 11 Administrative and 4 Professional posts at Under Secretary level and above. This total figure includes 950 staff in the technical and scientific units, all of whom are based at HQ.

Alternative Options

5. The arrangement at Dissolution under which the Secretary of State for Foreign and Commonwealth Affairs held concurrently the office of Minister of Overseas Development and was therefore formally responsible for overseas aid and development functions while in practice the

Minister of State for Overseas Development was effectively in charge of the ODM, was a potentially confusing one. If it is desired to retain ODM as a separate Department, it would from this point of view be preferable to separate the post of Secretary of State for Foreign and Commonwealth Affairs and Minister of Overseas Development. This would involve little or no change in administrative terms since the FCO and ODM would continue as now as separate Departments, but ODM would report formally as well as in practice to its own separate Minister. However, this change would not be straightforward if the Minister of Overseas Development was to have a seat in the Cabinet in accordance with the usual practice for all Ministerial departments to be represented there. This is because ^{of} the effect of the legislation on Ministerial salaries ^{which} does not provide for the payment of a salary to a Minister of Overseas Development who is a member of the Cabinet. It would therefore be necessary for the Minister to hold concurrently another office entitling him to a salary.

6. There are, however, stronger arguments in favour of reverting instead to the arrangement during 1970/74 when ODM (which has a relatively narrow functional span) ceased to exist as a separate Department and its activities were the responsibility of a separate functional wing of the FCO. This would provide a unified framework for the development of policy as aid and development as a part of overseas policy generally. This could be achieved in one of two ways :-

i. Full integration

The most thorough-going method for doing this would be complete integration of aid and development functions within the FCO. This would permit the fullest development of foreign policy embracing aid considerations and it should allow for the more effective deployment of personnel, especially among the staff currently engaged in the allocation of aid, with the possibility of some manpower savings, improved career prospects and the avoidance of staff overseas reporting to two separate Ministerial authorities. On the other hand, there would be disadvantages. Full integration would involve a considerable administrative reorganisation with attendant costs of disruption and the fact that ODM personnel are in general members of the

Home Civil Service and not the Diplomatic Service could create some problems for integration; but it is unlikely that these would prove insuperable. Full integration would, however, involve fragmenting what, for some years, has been a clearly defined function generating its own programme. Although there is a good case for full integration, it might be wise to conduct a thorough examination of this option following the introduction of the more limited change envisaged in (ii) below.

ii. Retention of distinct organisational arrangements within FCO to handle aid matters

In view of these factors, there would be considerable attraction at least as a first stage in returning to the pre-1974 arrangement whereby aid and development functions would be administered by a relatively self-contained organisational unit within the FCO. At Ministerial level, the Secretary of State for Foreign and Commonwealth Affairs would, as the holder of that office, assume statutory responsibility for the aid and development field but with day to day charge of the organisational unit dealing with aid and development functions in the hands of a Minister of State designated for that purpose. This change, which could be effected simply, would involve little administrative disruption and would enable the Government to preserve the separate character of aid administration, while bringing it more closely than at present into the general framework of overseas policies.

7. A Transfer of Functions Order (under the Ministers of the Crown Act 1975) subject to affirmative resolution, would be required to re-absorb ODM in FCO whether on a fully integrated basis or not. This would involve the abolition of the office of Minister of Overseas Development. The Order would transfer the functions vested in the Minister of Overseas Development to the Secretary of State and the office of Minister of Overseas Development would lapse. The Secretary of State for Foreign and Commonwealth Affairs could continue ad interim as now to hold the office of Minister of Overseas Development until the transfer by Order had been made. If a distinct organisational

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unit within FCO was retained (as at (ii) above), a Minister of State appointed to the FCO could be designated in advance of the change as the Minister for Overseas Development.

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THE FUTURE OF THE DEPARTMENT OF PRICES AND CONSUMER PROTECTION

The Present Department and its Functions

The Department of Prices and Consumer Protection was established in March 1974. It is the smallest of the four separate Departments (the others being Energy; Industry and Trade) which came into being following the dismantling of the Department of Trade and Industry.

2. The Department is the focal point for measures to deal with prices. It sponsors the Price Commission and has the principal responsibility for policy over the whole range of retail prices including food prices (for which responsibility and staff were transferred to it in 1974 from MAFF) except for those of the Nationalised Industries (unless they are investigated by the Price Commission). It has overall responsibility for the policy on food subsidies although other departments undertake the detailed administration of the scheme. The department deals with consumer affairs generally and is responsible for policy on fair trading, consumer credit, standards, weights and measures and for monopolies, mergers and restrictive practices. The Director General of Fair Trading is appointed by the Secretary of State for Prices and Consumer Protection as are the members of the Price Commission, the Monopolies and Mergers Commission, the Metrication Board, the National Consumer Council and the various Nationalised Industries Consumer and Consultative Councils. DPCP sponsors more than 40 Nationalised Industry Consumer Councils, some of which are Regional bodies.

3. The Department has a staff of around 340 including 6 staff at Under Secretary level and above. In addition to the Secretary of State, the Department had a Minister of State and a Parliamentary Secretary at dissolution.

4. When the Department was first established, the possibility of giving it somewhat wider functions in relation to food was considered, but it became clear that this would damage the organisational structure and functional unity of MAFF. Other possibilities for expanding DPCP's role

have been considered. These included on the prices side the transfer from the Department of Employment of responsibility for the retail price index. This would not have added significantly to DPCP's functional load since the Department of Employment's local network would still have had to be used for collection of information used in preparing the index. Moreover, there would have been disadvantages from an organisational point of view in the transfer as it would have resulted in further fragmentation of departmental statistical capabilities.

5. On the consumer protection side, it did prove possible to transfer from the Home Office certain limited functions in the field of consumer products safety and safety in the home; and from the Nationalised Industry Departments certain functions in relation to nationalised industry consumer and consultative councils. But it would be difficult to build up DPCP any further in functional terms in the consumer protection field. This would involve the transfer of very disparate responsibilities which are at present exercised elsewhere and which it is difficult to divorce from responsibility for the related function, eg road safety from DOE; drug safety from DHSS.

Organisational and Management Problems in a Separate DPCP

6. For the reasons explained in paragraphs 4 and 5 above, there is little or no scope for expansion of DPCP's present functions and if it is to be retained as a separate Department, it will need to continue to be regarded as being outside the main framework of "functional" Departments in central government; and acting simply as a small focal point for co-ordinating within Government policy on prices and consumer protection matters. The case for retention of a small department of this unusual nature depends largely on the political importance which the Prime Minister attaches to it. But there are significant organisational and management difficulties in the present arrangement.

7. These largely stem from the fact that by its small size and nature of its role, DPCP has no substantial functional base on which to operate. The work of virtually every Department is bound to impinge on others, but the activities of DPCP cut across those of other Departments to a

quite exceptional degree and the capacity to formulate and implement policies from within the Department is inevitably very limited. This can be seen if each of the main areas of work of DPCP is considered.

8. Policy towards countering inflation (which determines the action to be taken on prices) is a key element in the national economic strategy, for which Treasury has lead responsibility. The policing of prices in industry and commerce and of rules and regulations for consumer protection and credit are very closely linked with the Department of Trade's responsibilities for the regulatory and legal framework for industry and commerce as a whole. The responsibility for food prices and subsidies which came from MAFF is inextricably inter-linked with MAFF's general responsibilities for agriculture, sponsorship of the food manufacturing industry and food standards. In the event, this has proved to be an unclear boundary line with overlap and confusion of responsibility. The responsibility for representation of consumer interests has tended to cut across the responsibility of those Departments sponsoring the industries or activities concerned - most notably in the area of consumer representation in the nationalised industries.

9. In terms of management, the very small size of the Department creates its own difficulties. The administrative costs of operating a small department tend to be relatively high because of diseconomies of scale and problems arise for career management and availability of specialist services. In the case of DPCP, these problems are certainly minimised by the common service and citizenship arrangements with the Department of Industry and Department of Trade, but the particularly heavy dependence on services provided from outside the Department which the small scale of DPCP requires must necessarily cut across the responsibility of Ministers and senior officials of DPCP for the overall efficiency and effectiveness of the Department.

Merger with Department of Trade

10. So long as a focus for decision and action within Government on prices and consumer questions is desired, it would not be possible to

eliminate entirely all the areas of cross cutting responsibilities referred to in paragraph 8 above but, on the assumption that the Prime Minister does not wish to recreate a combined Department of Trade and Industry, the more limited move to merge the bulk of DPCP's functions with the Department of Trade could certainly reduce significantly the organisational and management problems inherent in the free-standing DPCP.

11. A merger would ensure that the prices and consumer functions would be exercised in a Department with a much broader span of policy functions and in particular would bring together in a single Department responsibility for all aspects of the regulatory and legal framework within which industry and commerce should operate; and this would have the obvious advantage for industry and commerce of having to deal with only one Department in this area. This would therefore seem to represent a sensible rationalisation of industry and commerce functions, without adding to the responsibilities of the already heavily loaded Department of Industry.

12. A merger with Department of Trade would provide the opportunity to return responsibilities for food subsidies and prices to MAFF where they more appropriately belong. It would also be possible to return the Nationalised Industries Consumer and Consultative Councils to the sponsor departments. However, unless the sponsor departments closely co-ordinate their activities in this field - and this suggests that special co-ordinating machinery might be required - there would be no capacity for taking a coherent across the board view of consumer interests. Moreover, restoring responsibility for the NICCs to sponsor departments might lead to the excessive subordination of consumer interests to those of the nationalised industries. On balance, therefore, this responsibility would be better located in the Department of Trade.

13. A merger would naturally help to reduce the management problems arising from the very small size of DPCP, referred to in paragraph 9 above. The total staff of a merged department would be about 7,900 with 33 staff at Under Secretary level and above: this would compare with the corresponding totals in the Department of Industry of 5,300

and 41 - these figures exclude the "DTI" group Common Services. While it might be expected that the common service arrangements with the Department of Industry would continue, the merged Department would clearly not be so dependent on the provision of services from outside itself as DPCP has been.

Mechanics of Change

14. The maintenance of "common citizenship" and of many common services since 1974 between the Departments of Industry, of Trade and of Prices and Consumer Protection would make it easier than usual to implement a merger in this area. DPCP could be dissolved administratively : there would be no need for a formal dissolution by a Transfer of Functions Order, subject to affirmative resolution. The bulk of the functions are vested in the Secretary of State, rather than in the Secretary of State for Prices and Consumer Protection by name, and these could be transferred administratively to the Secretary of State for Trade. A Transfer of Functions Order, subject to negative resolution, would however, be required subsequently to transfer any property, rights and liabilities which are currently vested in the Secretary of State for Prices and Consumer Protection by name. The various MAFF functions were transferred administratively in 1974 and could therefore be returned to MAFF in the same way.

Conclusion

15. If the Prime Minister wished to retain co-ordinating arrangements for prices and consumer protection and felt that the political arguments for retaining a separate DPCP were not decisive, the organisational arguments suggest a merger with Department of Trade as envisaged in paragraphs 10-13 above. This would involve the minimum of disruption and would bring prices and consumer protection into the framework of a department with related functions. Although the merged Department would have a wider policy span, it would not be too big for a major functional department. If the Prime Minister wished to emphasise the importance of prices and consumer protection, a Minister of State could be given special responsibilities in this field.