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Secretary of State for Trade and Industry

M J Eland
Cabinet Office
70 Whitehall
LONDON SW1

NBPM

17 December 1985

Dear Mr Eland,

FUTURE LEGISLATION: 1986/87 AND 1987/88 SESSIONS

WILL REQUEST IF REQUIRED.

I refer to your letter of 8 November. You kindly agreed to extend the deadline for the DTI's submissions. I now enclose (a) a list of this Department's bids; (b) eight pro-formas. There are six bids for Bills in 1986/87 and one for a Bill in 1987/88. One of the seven (Statistics of Trade Amendment) is put forward as a Government Bill in 1986/87 or failing that in 1987/88, with a request that if it cannot be accommodated as a Government Bill in 1986/87 it be given to a Private Member for that session. Accordingly, there is both an "Annex A" and "Annex B" bid for this Bill.

2. You will see that we are bidding for only two major programme Bills in 1986/87, one of which (Copyright and Other Intellectual Property) already has an advance place. The other (Consumer Goods and Services) narrowly missed selection last year for 1985/86 and in DTI Ministers' view must now be a contender with very high priority.

3. Should the Companies (Audit) Bill for any reason not be proceeded with in 1986/87, there will be a bid next year for major Companies legislation in 1987/88 and DTI Ministers hope that this will be given favourable consideration in next year's round.

4. This letter is copied to the recipients of yours.

Yours ever,

Michael Gilbertson

MICHAEL GILBERTSON
Private Secretary

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DEPARTMENT OF TRADE AND INDUSTRY
LEGISLATIVE PROGRAMME 1986/7 AND 1987/8
LEGISLATIVE BIDS

(A) CONTINGENT (1986/7)

- (1) British Shipbuilders (Borrowing Powers and Capital Restructuring) (very short)
- (2) Post Office (short to medium)

(B) PROGRAMME (1986/7)

- (1) Consumer Goods and Services (substantial)
- (2) Copyright and other Intellectual Property (long)
- (3) Companies (Audit) (short)

(C) UNCONTROVERSIAL (1986/7 OR 1987/8)

Statistics of Trade Amendment (short)
(An "Annex B" bid is also made for this Bill in 1986/7)

(D) ADVANCE (1987/8)

Weights and Measures (medium)

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GOVERNMENT BILLS PROPOSED FOR 1986/87 AND 1987/88

CATEGORY OF BILL: CONTINGENT

WHICH SESSION(S): 1986 / 7

PRIORITY AND TITLE; PURPOSE PRIORITY 1	DEPT	POLITICAL ASPECTS	LENGTH; PARL. PROCEDURE; ROYAL ASSENT	FINANCIAL, MANPOWER AND EC ASPECTS	TIMETABLE FOR PREPARATION
<p>BRITISH SHIPBUILDERS (Finance)</p> <p>To adjust the statutory Borrowing Limit and to write down the public dividend capital currently invested in the Corporation</p>	<p>DTI</p>	<p><u>Controversy</u></p> <p>A technical measure to reconstruct BS' finances following privatisation of their warship- building interests. Will almost cer- tainly not be opposed, but will provide an oppor- tunity for controversial debate on the Corporation's future.</p>	<p><u>Length</u></p> <p>Very short.</p> <p><u>Parliamentary Procedure</u></p> <p>No special procedure</p> <p><u>Royal Assent</u></p> <p>May be required by end '86 - timing depends on BS ability to live within current limits.</p>	<p><u>Financial</u></p> <p>A purely permissive measure with actual funding depending on separate decisions.</p>	<p><u>Policy</u></p> <p>Clearance by end June 1986. Instructions to Counsel and drafting could be completed in good time for early introduction if necessary.</p>

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GOVERNMENT BILLS PROPOSED FOR 1986/87 AND 1987/88

CATEGORY OF BILL: CONTINGENT

WHICH SESSION(S): 1986/87

PRIORITY AND TITLE; PURPOSE PRIORITY 2	DEPT	POLITICAL ASPECTS	LENGTH; PARL. PROCEDURE; ROYAL ASSENT	FINANCIAL, MANPOWER AND EC ASPECTS	TIMETABLE FOR PREPARATION
<p>TITLE Post Office Bill</p> <p>PURPOSE - To facilitate privatisation of subsidiaries</p> <p>- if legislation necessary for this purpose opportunity taken to legislate to permit capital restructuring</p> <p>- to extend Counters powers</p> <p>- to make minor administrative changes to status of POUNC</p>	<p>DTI</p>	<p>Controversial</p> <p>- because of privatisation implications</p>	<p>Short to medium.</p>	<p>Financial implications likely to be neutral.</p> <p>Manpower - nil.</p> <p>EC aspects - nil.</p>	<p>It will be known by May 1986 if legislation is essential for privatisation of subsidiaries - by which time Ministers' policy decisions on other changes will be known.</p>

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GOVERNMENT BILLS PROPOSED FOR 1986/87 AND 1987/88

CATEGORY OF BILL: PROGRAMME
WHICH SESSION(S): 1986/7

PRIORITY AND TITLE; PURPOSE PRIORITY I	DEPT	POLITICAL ASPECTS	LENGTH; PARL. PROCEDURE; ROYAL ASSENT	FINANCIAL, MANPOWER AND EC ASPECTS	TIMETABLE FOR PREPARATION
<p>CONSUMER GOODS & SERVICES</p> <p>(1) <u>Safety of Goods</u></p> <p>Impose on suppliers requirement to ensure consumer goods are safe in accordance with sound modern standards. Strengthen powers of enforcement on manufacturers and importers and clarify their responsibilities. Empower enforcement offices to seize or freeze goods believed unsafe. Enable Customs & Excise to transmit information to enforcement authorities. Amend H & Saf. Work Act accordingly and to take account of enforcement problems experienced with current provisions. Related and consequential amendments and repeals.</p>	<p>DTI</p>	<p>(1) Review of consumer safety legisl. announced 1981. White Paper published 1984. Wide spread concern about weaknesses re dangerous goods. Heavy pressure from consumer organisations and LAs; yet further delay highly embarrassing (legisl. on this was expected in each of the last two sessions). Expected to be well received in both Houses and generally by Opposition. Some criticism that it shd go further to protect the consumer. Appeal to most sections of the Community, including business, with the possible exception of some importers.</p>	<p><u>Length :</u> Substantial</p> <p><u>Parly Procedure:</u> May be suitable for introd. in the House of Lords</p>	<p>No financial or manpower implications. Item (ii) implements EC Directive (85/374/EEC)</p>	<p>Instructions on Public consultation on (i) and (iii) completed in 1984. Consultative document on precise implementation of (ii) issued on 26.11.85. Responses requested by: 19.2.86.</p> <p>Policy on (i) cleared E(A) on 27.11.84 and on (iii) cleared H on 4.2.85. Final clearance on (ii) and on any consequential changes to (i) and (iii) to be sought in March 1986.</p> <p>Instructions on (i) and (iii) were sent to Counsel at end March 1985 (when Bill was expected to be in 1985/6 session).</p>

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CAJURY OF BILL:
WHICH SESSION(S):

PRIORITY AND TITLE; PURPOSE	DEPT	POLITICAL ASPECTS	LENGTH; PARL. PROCEDURE; ROYAL ASSENT	FINANCIAL, MANPOWER AND EC ASPECTS	TIMETABLE FOR PREPARATION
<p>(ii) <u>Product Liability</u></p> <p>Implement EC Directive on product liability, making producers strictly liable for damage caused by their unsafe products (probably subject to the "development risk" or "state of the art" defence).</p> <p>(iii) <u>Misleading Price Indications</u></p> <p>Make legisl. simpler and more effective. New general prohibition on misleading price indications, with criminal sanctions. Also powers for S of S to draw up statutory code of practice and/or to make regulations.</p>		<p>(ii) Subject fits closely with (i) above, and is expected to be implemented together. General principles expected to be well received in both Houses. Opposition (and consumer organisations) will want it to go further eg by dispensing with state of the art defence. Industry (and some backbenchers) however may want it <u>restricted</u> as far as possible.</p> <p>(iii) Govt. announced intention to proceed in March 1985. Political controversy unlikely. Proposals broadly welcomed by consumers and by much of the trade.</p>			<p>Instructions on (ii) with any appropriate changes to (i) and (iii), will be ready by end April.</p> <p><u>Introduction at start of session.</u></p>

GOVERNMENT BILLS PROPOSED FOR 1986/87 AND 1987/88

OF BILL:
 SESSION(S):

PRIORITY AND TITLE; PURPOSE	DEPT	POLITICAL ASPECTS	LENGTH; PARL. PROCEDURE; ROYAL ASSENT	FINANCIAL, MANPOWER AND EC ASPECTS	TIMETABLE FOR PREPARATION
<p>[Faint, mostly illegible text in the first column]</p>	<p>[Faint, mostly illegible text in the second column]</p>	<p>Both (i) and (ii) would help to implement report on Scrutiny of Legislative and Administrative Burdens. Cabinet agreed last June to give preferential treatment to a Bill on these subjects in consideration of the 1986/7 programme</p>	<p>[Faint, mostly illegible text in the fourth column]</p>	<p>[Faint, mostly illegible text in the fifth column]</p>	<p>[Faint, mostly illegible text in the sixth column]</p>

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GOVERNMENT BILLS PROPOSED FOR 1986/87 AND 1987/88

CA: .Y OF BILL: Programme
WHICH SESSION(S): 1986/87

PRIORITY AND TITLE; PURPOSE PRIORITY 2	DEPT	POLITICAL ASPECTS	LENGTH; PARL. PROCEDURE; ROYAL ASSENT	FINANCIAL, MANPOWER AND EC ASPECTS	TIMETABLE FOR PREPARATION
<p>COPYRIGHT AND OTHER INTELLECTUAL PROPERTY BILL</p> <p>Purposes:-</p> <ol style="list-style-type: none"> 1. To reform law of Copyright, Designs and Performers' Protection, 2. to reform law on patent litigation, and 3. subject to Ministerial decision, to hive-off the Patent Office and reform the law on patent 'agents' and solicitors' right of representation, and employee inventors. 	<p>DTI</p>	<p>Following decision to give Bill an advance place, Ministers have frequently expressed hope that legislation will be possible in 1986/87.</p> <p>Likely to be generally welcomed in both Houses. Some provisions controversial but not on party lines.</p>	<p>Long.</p> <p>Suitable for introduction in Lords</p> <p>Royal Assent could be at any time in session.</p>	<p><u>Financial</u></p> <p>Up to £70k p.a. for extended Copyright Tribunal. Blank tape levy proceeds (£5-6m p.a.) to be accounted as public expenditure covered by receipts.</p> <p><u>Manpower</u></p> <p>Possibly 2 extra staff as secretariat for extended Copyright Tribunal. 12-13 staff for patent litigation (Costs recovered from patent fees).</p> <p><u>EC</u></p> <p>No current commitment. Commission may begin a harmonisation exercise on some aspects of copyright in 1986.</p>	<p>Ministerial Cabinet Committees are currently considering policy on all issues except employee inventors (policy clearance to be sought in January 1986) and patent agents (policy clearance in April 1986). Instructions to Parliamentary Counsel on copyright, designs and performers' protection reform and patent litigation by end-January 1986. If required, instructions on hiving-off the Patent Office and employee inventors by end-March 1986; instructions on patent agents by end-June 1986. These latter two items to be considered by QL later.</p>

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GOVERNMENT BILLS PROPOSED FOR 1986/87 AND 1987/88

CATEGORY OF BILL: PROGRAMME

WHICH SESSION(S): 1986/87

PRIORITY AND TITLE; PURPOSE PRIORITY	DEPT	POLITICAL ASPECTS	LENGTH; PARL. PROCEDURE; ROYAL ASSENT	FINANCIAL, MANPOWER AND EC ASPECTS	TIMETABLE FOR PREPARATION
<p><u>1986/87</u></p> <p>COMPANIES (AUDIT) BILL</p> <p>To implement outcome of current review of audit requirements for small companies insofar as primary legislation is required for that purpose.</p>	<p>DTI</p>	<p>Unlikely to be politically controversial but opinion within the accountancy profession and in commercial circles generally is very divided.</p>	<p>Short. Possibly suitable for introduction in the House of Lords.</p>	<p>None.</p>	<p>Policy clearance expected in January/February. Instructions could be delivered to Counsel by 31 May. Bill could be ready for introduction in November 1986.</p>

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GOVERNMENT BILLS PROPOSED FOR 1986/87 AND 1987/88

CATEGORY OF BILL: Uncontroversial

WHICH SESSION(S): 1986/87 or 1987/88*

PRIORITY AND TITLE; PURPOSE	DEPT	POLITICAL ASPECTS	LENGTH; PARL. PROCEDURE; ROYAL ASSENT	FINANCIAL, MANPOWER AND EC ASPECTS	TIMETABLE FOR PREPARATION
<p>Priority 1</p> <p>Title: STATISTICS OF TRADE ACT 1947 (AMENDMENT) BILL</p> <p>Purpose:</p> <p>(i) To allow eventual release of statistical information currently statute barred.</p> <p>(ii) To bring the Act up to date by taking account of present day data collection and processing arrangements.</p> <p>(iii) To facilitate the transfer by the Department of statistical data about businesses to Northern Ireland without incurring excessive cost.</p>	<p>DTI</p>	<p>No public commitments about introduction or timing.</p> <p>Government has agreed in principle that greater public access to statistical data desirable (White Paper "Modern Public Records" Cmd 8531).</p> <p>Bill unlikely to arouse particular interest in Parliament, by the Opposition, or to be controversial.</p> <p>Unlikely to be opposed by data suppliers (eg CBI) who have been consulted. The bill would facilitate the collection and transfer of information used for the preparation of the national accounts. It would also benefit academics and researchers.</p>	<p>Length: short</p> <p>Parl Procedure: Most suitable for Second Reading Committee</p>	<p>Proposal does not have retrospective effect and any (small) cost falls outside the PES period.</p> <p>No EC commitment</p>	<p>Outline clearance early February 1986.</p> <p>Consultations with CBI Mar - Apr 1986.</p> <p>Detailed clearance late May 1986.</p> <p>Firm instructions to Parliamentary Counsel October 1986.</p> <p>Ready for introduction May 1987.</p> <p>*If this bill cannot be included in the 1986/87 programme this application should be regarded as an advance bid for 1987/88. An "Annex B" bid is also made for this Bill in 1986/7</p>

PROPOSED PRIVATE MEMBER HANDOUT BILLS 1986/87

PRIORITY AND TITLE; PURPOSE PRIORITY 1	DEPT	LENGTH	INTEREST GROUPS AFFECTED AND LIKELY ATTITUDES	ANY FINANCIAL, MANPOWER OR EC ASPECT	TIMING OF POLICY APPROVAL AND INSTRUCTIONS TO COUNSEL
<p>STATISTICS OF TRADE AMENDMENT BILL</p> <p>Purpose:</p> <p>(i) To allow eventual release of statistical information currently statute barred.</p> <p>(ii) To bring the Act up to date by taking account of present day data collection and processing arrangements.</p> <p>(iii) To facilitate the transfer by the Department of statistical data about businesses to Northern Ireland without incurring excessive costs.</p>	DTI	Short	<p>Suppliers of information unlikely to object to new requirements.</p> <p>Users of information (eg researchers; academics, trade associations) will welcome it.</p>	<p>Proposal does not have retrospective effect and any (small) cost falls outside the PES period.</p> <p>No EC commitment</p>	<p>Outline clearance early February 1986. Consultations with CBI Mar-April 1986. detailed clearance late May 1986.</p> <p>Firm Instructions to Parliamentary Counsel October 1986.</p> <p>Ready for introduction May 1987.</p> <p>This Bill is also proposed as a Government Bill for 1986/7, failing which it is bid for as a Private Member's Bill.</p>

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GOVERNMENT BILLS PROPOSED FOR 1986/87 AND 1987/88

Y OF BILL: UNCONTROVERSIAL
 WHICH SESSION(S): 1987/8

PRIORITY AND TITLE, PURPOSE PRIORITY I	DEPT	POLITICAL ASPECTS	LENGTH; PARL. PROCEDURE; ROYAL ASSENT	FINANCIAL, MANPOWER AND EC ASPECTS	TIMETABLE FOR PREPARATION
<p><u>Weights & Measures</u></p> <p>To amend Weights and Measures Law by</p> <p>(a) allowing the SoS to accredit manufacturers and others to verify fitness for use for trade of weighing and measuring equipment</p> <p>(b) making manufacturers responsible for the conformity of their equipment with an approved design</p> <p>(c) laying a duty on local authority Trading Standards Depts to inspect equipment in use for trade at reasonable intervals</p> <p>(d) correcting anomalies and revising provisions to reflect current technology and trading practices both in regulations relating to equipment and to transactions in goods</p>	<p>DTI</p>	<p>(a) to (c) were recommended in the Report of the Committee on Metrological Control (Cmd 9545). The Government has already welcomed these recommendations in principle in the White Paper "Lifting the Burden" because of their self-regulatory nature. The recommendations have been overwhelmingly supported by all interested parties during the public consultation exercise. All amendments (a) to (d) are expected to be well received in Parliament and strongly supported by the trader, consumers and enforcement authorities.</p>	<p><u>Length - medium</u></p> <p><u>Parly Procedure:</u></p> <p>Suitable for introduction in the Lords</p> <p><u>Royal Assent:</u></p> <p>No specific deadline</p>	<p><u>Financial and manpower aspects:</u></p> <p>Minimal in PES period</p> <p><u>EC Implications:</u></p> <p>None</p>	<p><u>Policy clearance</u></p> <p>Summer 1986</p> <p><u>Public consultation:</u></p> <p>Completed</p> <p>November 1985</p> <p><u>Firm instructions to Parly Counsel:</u></p> <p>January 1987</p> <p><u>Ready for introduction</u></p> <p>Beginning of Session</p>

