



Ref. A083/1053

PRIME MINISTER

Legislative Programme 1983-84
(C(83) 9 and C(83) 10)

BACKGROUND

The Home Secretary's memorandum (C(83) 9) records that The Queen's Speeches and Future Legislation Committee (QL), working on the basis of suggestions put forward by Departments, have drawn up two alternative legislative programmes for the 1983-84 Session. The first assumes a short Session, of not more than six months, preceding a General Election in the spring of 1984; the second assumes that the next Session will begin after an Election in the summer or early autumn of this year and will be of normal length.

2. QL's recommendations for a short Session are set out in Annex A to C(83) 9. Room has to be found for six or seven essential Bills, and a further four contingent Bills could prove to be essential in certain circumstances. QL have taken the view that this leaves space for a maximum of four fairly short and not acutely controversial programme Bills, together with two Scottish Bills and three Bills whose introduction would be conditional upon the Opposition's agreement to their being taken in Second Reading Committee in the Commons. QL argue that attempting to carry a heavier or more controversial programme in the limited time available would give the Opposition the maximum scope and incentive for disruption, and would consequently put all the Bills contained in it, including the less controversial ones, at risk.

3. QL's recommended programme for a normal Session contains all those Bills which they propose for a short Session (except the two Scottish Bills) plus the further nine programme Bills and eight Second Reading Committee Bills and the three different Scottish Bills listed in Annex B to C(83) 9. This would give a total main programme of 20 essential and programme Bills, many of them highly controversial. QL suggest that a programme of this size would be unmanageable if both the big local government Bills (and the associated Scottish provisions) are to be introduced next Session,



and that in that event one or more of the other Bills which they have recommended for inclusion might have to be dropped. Conversely, if either or both of the local government Bills failed to materialise, there should be room to add one or more of the three Bills contained in the reserve list at the end of Annex B. QL accordingly recommend that their proposals should be reviewed later in the year.

4. Annex C to C(83) 9 lists the main Bills not recommended by QL but still being strongly pressed by their sponsoring Ministers. The summary attached to C(83) 10 gives further details of all the Bills mentioned in the Annexes to the Home Secretary's main paper.

HANDLING

5. After the Home Secretary has introduced C(83) 9, the Cabinet could be invited to consider each of the proposed programmes separately. In each case, the Lord President, the Lord Privy Seal and the Chief Whip will be able to explain how they see QL's proposals in the context of Parliamentary management, and (assuming that the Cabinet accept that the total weight of each recommended programme is about right) other Ministers will wish to put the case for substituting one or more of the Bills listed in Annex C to C(83) 9 for those suggested by QL.

(i) Short Session

6. The main question which arises on the programme proposed in Annex A to C(83) 9 is whether the low-key approach favoured by QL is appropriate to a short pre-Election Session, or whether there is a political case for including more controversial Bills even if their passage by the end of the Session cannot be guaranteed. The Chancellor of the Duchy of Lancaster will have views on this point. If, in spite of the likely misgivings of the business managers, the Cabinet decide that the proposed programme needs to be reinforced by the addition of a Bill or Bills of higher political significance, the Trade Union Bill is, as the Home Secretary notes, the main contender. The principal options for this Bill appear to be:

- a. To introduce a Bill limited to dealing with election to union offices, with the intention of securing Royal Assent by the end of the Session.



- b. To introduce a more comprehensive Bill without necessarily taking it beyond, say, Second Reading in a short Session.
- c. To publish a comprehensive draft Bill as a White Paper for debate, but not for formal introduction, before the General Election.

The Secretary of State for Employment will wish to comment, and the business managers can give their assessment of the likely Parliamentary consequences of each option.

7. As to the other Bills listed in Annex C as being urged for addition to the programme for a short Session:

- a. The Secretary of State for Education and Science can say whether the Education (Overseas Students) (Definition) Bill recommended by QL is still necessary in the light of his recent announcement on the amendment of the "ordinary residence" criterion. If not, QL recommend that its place in the programme should be taken by the Education (Grants to Local Authorities) Bill to enable the Secretary of State to implement the Government's declared policy of specific grant to influence local authorities' spending on education at the margin.
- b. The Secretary of State for the Environment can make the case for anticipating in a short Session part of the wider Local Government Rating and Expenditure Bill proposed for a normal Session.
- c. The Secretary of State for Trade can explain why he regards the shorter but still controversial version of the Consumer Safety Bill as a matter of urgency. The policy is still some way from being agreed collectively; is he certain that the Bill could now be ready for introduction by the start of the Session?



- d. The Chancellor of the Exchequer has argued for the inclusion of the Public Services (Transfer of Functions) Bill (to deal with the problem of technical redundancy) in the short Session's programme; QL recommend it for a normal Session. Is it clear that the possible postponement of its introduction until the spring of 1984 would in fact seriously impede the privatisation programme? (A Bill on this subject was given a place in this Session's programme, but was subsequently abandoned because of problems identified during its preparation).
- e. The Chancellor of the Exchequer would also like the Trustee Savings Bank Bill to be included in the programme for a short or normal Session; its claims in a short Session seem less strong than those of some of the other candidates, but it is recommended by QL for inclusion in the reserve list for a normal Session.

8. If it is decided to add the Trade Union or any other Bill to the short Session's programme, the business managers may press for compensating deletions from the list of four programme Bills in Annex A already recommended by QL. None of them is comparable in weight to even the shorter Trade Union Bill, and neither the Prevention of Marine and Food Pollution Bill nor the Gas Safety Bill - which it would perhaps be easier to drop from a short Session than one of the Education Bills or the Prevention of Terrorism Bill - is likely to be very controversial.

9. Finally, the Lord President may be able to say whether he now expects to be able to find time this Session for the International Monetary Arrangements Bill (No 7 in the essential list Annex A); this is desirable in order to meet the timetable for increasing the resources of the IMF agreed by the Group of Ten, and would go a little way towards easing the pressure on legislative time next Session.



(ii) Normal Session

10. The planning of the programme for a normal 1983-84 Session is complicated by the present uncertainty about the likely timing of the Local Government and Local Government Rating and Expenditure Bills (and, in the case of the latter, the related provisions of the Local Government (Miscellaneous Provisions)(Scotland) Bill). You may therefore wish to guide the Cabinet to agree at the outset that any decisions taken at the present meeting should be regarded as subject to review in the light of progress on the local government Bills.

11. You may then wish the Lord President, the Lord Privy Seal and the Chief Whip to give their assessment of the weight and controversiality of the programme taken as a whole. Does it strike the right balance between the desirability of taking the most contentious measures early in the new Parliament and the need to avoid overlooking either House? How does it compare with the programme for the (long) 1979-80 Session of the present Parliament?

12. If the Cabinet accept that the programme is about the maximum that could be accommodated in a normal Session, you will wish to test the strength of each of the bids for additional Bills listed in Annex C against those already accepted by QL:

- a. The Secretary of State for the Environment can explain the case for extending the New Towns Bill beyond the financial provisions recommended by QL, thereby making the Bill much more controversial. How firm is the commitment to wind up certain New Towns Corporations in 1984 and 1985? Would postponement pose severe practical or political problems?
- b. The Secretary of State for Education and Science can say whether his target of having instructions for the Educational (Wider Parental Choice)(Pilot Schemes) Bill ready by June, so that the Bill can be introduced in October, is still realistic. What would be the practical implications of postponing legislation to the second Session of the new Parliament?



- c. The Secretary of State for Employment can say whether he is content for the Dock Work Regulation Bill (already drafted) to remain on the reserve list, or whether he thinks it essential for it to be given a firm place in the programme regardless of what happens to the local government Bills.
- d. The Secretary of State for the Environment is pressing for the inclusion of his Housing Bill. Would it be reasonable for this to wait for a later Session, bearing in mind the volume of housing legislation passed in the present Parliament? The only item of any urgency appears to be that on financial assistance to owners of defective pre-fabricated houses; but the Chancellor of the Exchequer may be able to confirm that this could continue to be given without specific statutory cover for the time being.
- e. The Secretary of State for Industry will put the case for early legislation on industrial development in the regions; but policy decisions are not expected before June, and the Bill itself would not be ready before late January 1984. The business managers may think this far too late in a very heavily loaded Session.
- f. The Secretary of State for Industry can also explain the need for his proposed Development of Inventions Bill, which would formalise the establishment of the British Technology Group, and enable it to undertake new activities. The lack of a statutory framework is currently a source of embarrassment to the Government and the Group; but could the existing arrangements be tolerated for a further year or so?
- g. The Secretary of State for Trade is in favour of the introduction of a Civil Aviation Bill in December 1983 to provide, as a minimum, for the capital reconstruction of British Airways as a prelude to



privatisation (he would be prepared to forgo the subsidiary provisions in his original bid if necessary). Is it realistic to aim for privatisation in 1984-85? If so, the Bill would have to receive Royal Assent by March 1984; if not, it might be left for the 1984-85 Session.

- h. The case for the longer Consumer Safety Bill proposed by the Secretary of State for Trade is essentially the same as that for the more restricted Bill which he proposes for a short Session; subject to any further points which may be made by the Secretary of State, it seems a desirable measure for the next Parliament, but not necessarily for the first Session.
- i. The Secretary of State for Transport will explain the need for his proposed Transport Bill, which combines elements from two of his original bids. Are both the subjects now covered (privatisation of the National Bus Company and mitigation of nuisance in lorry action areas) of equal urgency? Could either be incorporated in the Public Transport (London) Bill recommended by QL for a normal Session?
- j. The Minister of Agriculture originally proposed a comprehensive Agriculture Bill; QL recommends that it should be confined to reform of the law on agricultural tenure. The Minister has accepted this, but has asked as a quid pro quo for an additional Second Reading Committee Bill dealing with animal health and welfare and livestock improvement. QL decided against this, on the grounds that any legislation on animals would probably prove too emotive to be suitable for the Second Reading Committee procedure. But QL proposes that no Bill in the Second Reading Committee list should be introduced unless the Opposition has first agreed to its being taken under that procedure. Could not the Minister of Agriculture's Bill be included in the programme on that basis?



CONCLUSION

13. Subject to the course of the discussion, the Cabinet might:
- a. Approve the recommendations of QL for a short Session, with or without amendment.
 - b. Approve the recommendations of QL for a normal Session, with or without amendment, subject to review when the fate of the two local government Bills becomes clearer.
 - c. Invite the Ministers concerned to ensure that the stated timetables for the preparation of Bills for which they are responsible are observed or improved on.
14. If further work on the proposed programmes is necessary as a result of the discussion, the Cabinet might invite the Home Secretary to arrange for further consideration by QL, and to report back with modified proposals.

RA

ROBERT ARMSTRONG

12 April 1983

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Lex. Programme
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