

Copy filed as Home Affairs  
May 79 Open Gov

Mr Patten  
Prime Minister  
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Foreign and Commonwealth Office  
London SW1

Mr Atkins proposes that explanatory memoranda on Community documents should, as a rule, be sent to the four EC depository libraries (listed below)

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1/3

26 February 1982

Dear Francis,

PUBLIC AVAILABILITY OF EXPLANATORY MEMORANDA

Keith Stainton recently passed on to me a request from someone who runs a legislation monitoring service for charities that a file of Explanatory Memoranda (EMs) on Community documents should be made available for public inspection at the British Library.

Under the present arrangements, the automatic circulation of EMs is restricted to Parliament and Government Departments. This is not for any reason of security, since the EMs are unclassified, but I suspect partly because there has not been much of a demand for wider circulation and partly because of a reluctance to open the floodgates to other potential recipients.

In fact the cost and the administrative burden are the main arguments against wider circulation, but we have I think come up with a solution by which the public can have better access to these EMs and which should not make resistance to further requests any more difficult. This is that we should send a copy of each EM to the four 'EC Depository Libraries.'

These Depository Libraries (the Lending and Reference Divisions of the British Library, the City of Westminster Central Library and the Liverpool and District Scientific, Industrial and Research Library) already receive directly from the Commission a comprehensive selection of Community documents, including those on which EMs are prepared. Distribution to these libraries would ensure ready access for the general public, particularly through the postal arrangements of the British Library's Lending Division. We do not want to accept a commitment to supply EMs directly to each of the 45 European Documentation Centres (which are usually attached to universities), but they will be able to obtain EMs indirectly via the Depository Libraries.

The Rt Hon Francis Pym MC MP  
Lord President of the Council  
68 Whitehall  
London SW1

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This wider availability of EMs would be fully consistent with our aim of promoting open government and could help to improve public understanding of the Community. I hope you will agree that the proposal is a practical one. Unless I have received any objection by 3 March I shall write to the Chairmen of the two Scrutiny Committees seeking their formal agreement (informal soundings indicate that they will be content) before we put the new arrangement into practice. I would propose to draw this new procedure to the attention of the House through an arranged PQ. If these arrangements are agreed, we will ensure that copies of EMs go to the Libraries only after we know that the Scrutiny Committees have them.

I am copying this letter to the other members of the Cabinet, to Paul Channon and Sir Robert Armstrong.

*Yours ever*

*Thompson*

Curo P.A



H M Treasury, Old Admiralty Building, Whitehall, London SW1A 2AZ

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V.P. M.P.  
then p.a.

The Rt Hon Francis Pym MC MP  
Lord President of the Council  
Privy Council Office  
Whitehall  
LONDON SW1A 2AT

AR  $\frac{2}{3}$

30 March 1982

*Dear Francis,*

Thank you for your letter of 10 March suggesting a new procedure for making recently enacted legislation available earlier than is possible at present.

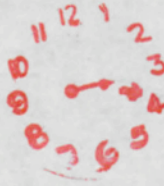
I very much support what you want to do. I understand that the delays in the publication of legislation which occur when several Acts receive Royal Assent together arise largely during the process of preparing and meticulously checking proofs for the printers. The interval from receipt by HMSO of the final text and authority to print to publication is typically 6 or 7 days. It may be that we shall not gain very much time from making available an advanced text unless we can cut into the preparation and checking process. I agree that this is worth pursuing and HMSO will gladly co-operate in a study.

I am copying this to the recipients of yours.

*Barney*

BARNEY HAYHOE

31 MAR 1982



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Oddi wrth Ysgrifennydd Gwladol Cymru The Rt Hon Nicholas Edwards MP From The Secretary of State for Wales

18<sup>th</sup> March 1982

*Jan Humphrey*

Thank you for copying to me your letter of 26 February to Francis Pym about your proposal to send copies of Explanatory Memoranda to the four EC Depository Libraries. I have also seen Gordon Campbell's response of 9 March and sympathise with his request, since I too believe that libraries other than the four should become involved. For that reason I believe the National Library of Wales should be added to the list of libraries to receive the memoranda.

/ I am copying this letter to the other members of the Cabinet, to Paul Channon and Sir Robert Armstrong.

*✓* *Com*  
*Wid*

The Rt Hon Humphrey Atkins MP  
Lord Privy Seal  
Foreign & Commonwealth Office  
Downing Street  
LONDON



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PRIVY COUNCIL OFFICE  
WHITEHALL, LONDON SW1A 2AT

10 March 1982

Prime Minister

Dear Barney,

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A.J.C. 11.3

p.a.

A.J.C. 15.3

... As you will see from the attached, Humphrey Atkins recently wrote to me about a suggested procedure for making Explanatory Memoranda on Community documents available for public inspection at four major Libraries.

This seems a good idea to me, and I have agreed to what he proposed. The thought occurred, however, whether the idea might be capable of further extension, particularly as a means of meeting the criticism that is made from time to time about the non-availability to the public of recently enacted legislation, statutory instruments, etc. As you know, there can at present be substantial delays, sometimes of several weeks, between Royal Assent and the emergence of legislation in a freely available printed form.

I should accordingly be most grateful if consideration could be given to the possible scope for a procedure whereby a very limited number of copies of new legislation might be made available by HMSO in some form immediately after enactment at a few selected points within the British Library system. The purpose behind this would be to enable interested members of the public to have access to unpublished legislation through their local library by utilising the British Library's central distribution and reproduction services.

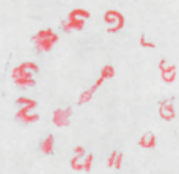
— Do you think this idea is worth pursuing?

I am copying this letter to the other members of Cabinet, to Paul Channon and Sir Robert Armstrong.

See  
Home Affairs  
Open Gov  
May 79  
CDK to L/Cate  
23382

FRANCIS PYM

Barney Hayhoe Esq MP  
Minister of State (Commons)  
HM Treasury  
Old Admiralty Building  
Whitehall  
London SW1



16 MAR 1982