



Ref. A084/659

PRIME MINISTER

The Legislative Programme 1984-85  
(C(84) 8)

## BACKGROUND

FLAG A

The Lord President's memorandum (C(84) 8) contains the recommendations of the Queen's Speeches and Future Legislation Committee (QL) for next Session's legislative programme. C(84) 9 contains a summary of all the Departmental bids.

FLAG B

2. QL considered a total of 74 bids and are proposing a programme of 5 essential, 16 programme, 10 uncontroversial and 11 contingent Bills (their proposals are summarised in Annexes A, B and C of C(84) 8). This compares with 7 essential, 21 programme and 9 uncontroversial Bills for this Session, which is however longer than normal and for which a number of Bills (including 4 major ones) were already drafted, having fallen at the General Election.

3. The main Bills in the provisional programme are:

Local Government (Greater London and Metropolitan Counties)  
- to abolish these authorities.

Social Security and Health - to make changes in private pensions arrangements.

Representation of the People - to bring into force the changes in electoral law proposed in the recent White Paper.

Administration of Justice - includes changes in the law on conveyancing.

A privatisation measure - either Public Transport or Gas.

Plus other substantial measures to establish an independent prosecution service, to amend the law on insolvency following the Cork report and to strengthen nationalised industries legislation.



4. The list of contingent Bills includes, under the innocuous title of "Communications" provision for a Bill on interception of communications, on the assumption that an adverse judgment by the European Court of Human Rights in the Malone case will oblige the Government to legislate on this subject.

5. QL discussed its provisional recommendations with Departmental Ministers and its conclusions are likely to be acceptable, except that some Ministers will argue for additions, notably:

The Secretary of State for the Environment - for a Rent Bill to introduce an element of deregulation into the private rented sector.

The Secretary of State for Northern Ireland - for a Northern Ireland (Emergency Provisions) Bill to give effect to the recommendations of the Baker Report on security in Northern Ireland.

The Secretary of State for Trade and Industry - for a Firms Bill to provide a new regime for the film industry and replace the Eady Levy.

The Secretary of State for Transport - for a long Civil Aviation Bill to privatise airports as well as for his Public Transport Bill to privatise the National Bus Company.

#### HANDLING

6. You will wish to invite the Lord President to introduce C(84) 8. You may then wish to ask the Lord Privy Seal if he has anything to add from the point of view of Commons business next Session.

#### Size of Programme

7. The first point to establish is the size of the programme. The Committee have recommended 21 essential and programme Bills with a further 10 uncontroversial Bills suitable for Second Reading Committee procedure. Does Cabinet agree that this is about the right number, bearing in mind the 11 contingent Bills, several of which will inevitably be required? It is very likely

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that a few other Bills, as yet unforeseen, will be needed as well. If Cabinet accepts that the programme is about right, it follows that any additions will need to be balanced by equivalent deletions.

Essential and Programme Bills

8. On substance, the Cabinet might first deal with the most important part of the proposals - the Essential and Programme Bills at Annex A of C(84) 8.

9. QL has remitted one specific issue to the Cabinet: the content of privatisation legislation. QL concluded that there was only room in the programme for one privatisation measure. They have suggested either Gas or Public Transport (ie buses). They favour the former on political grounds but the latter on practical grounds because it is more likely to be ready in time. The Lord President might explain QL's thinking, and the Secretaries of State for Energy and Transport be invited to speak to their Bills. On the assumption that there is room for only one of these Bills, the issue is whether the risk of backing the politically more attractive option - Gas - with the attendant danger that the Bill will appear later and half-baked, or even possibly not at all - is worth taking. There may be pressure to include both Bills and the Secretary of State for Transport may well argue for Civil Aviation (airports) in addition; the Lord President will wish to respond to this.

10. On the remainder of this part of the programme, the Secretaries of State for the Environment, Northern Ireland and Trade and Industry will wish to make their cases for Rent, Northern Ireland (Emergency Provisions) and Films respectively. The most difficult of these is Rent. Though there is no agreed policy as yet, the Secretaries of State for the Environment and Wales feel strongly that there must be legislation next Session so that it can "bed in" before the General Election (the Secretary of State for the Environment has given notice that he will be urging this line in his letter of 27 February to the Lord President). QL did not accept this timing point, were concerned that legislation next Session would be half-baked, and

FLAG C



also thought it best that the Department of the Environment should not be distracted from the crucial Abolition Bill by another major measure.

11. If any extra bids are accepted what is to be left out? There are few candidates of sufficient size. Is the Social Security Bill going to be ready in time? Is Pollution (Protection of Food and the Marine Environment) too contentious at this point? Do Trustee Savings Banks or Nationalised Industries really have to be next Session?

12. In the light of decisions up to this point Cabinet might like to review briefly the political impact of the emerging programme.

Uncontroversial and Contingent Bills (Annexes B and C of C(84) 8)

13. These Bills should not give rise to much discussion. The uncontroversial Bills are included on the basis that they will be suitable for Second Reading Committee procedure in the House of Commons, and will have a lower drafting priority. The Foreign and Commonwealth Secretary may argue that his State Immunity Act (Amendment) Bill (to prevent the attachment of United Kingdom bank accounts of diplomatic missions) should be included in the main programme category; the Secretary of State for Transport may argue for the addition of his Transport Goods Vehicle '0' Licensing Bill. QL took the view that 10 uncontroversial Bills was enough.

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14. In his memorandum, the Lord President suggests that further attention should be paid now to the 1985-86 Session. He suggests that a firm place in that Session's programme should be given now to a small number of large Bills which cannot be fitted into 1984-85. The advantage would be to enable more thorough preparation. Possibilities would be those privatisation measures not included in next Session, Rents or Films. You might ask the Lord President for his views in the light of the discussion.



## CONCLUSION

15. You will wish the Cabinet to agree on:

1. The overall size of the programme;
2. The content of the essential, programme, contingent and uncontroversial sections - Annexes A, B and C of C(84) 8 as amended in discussion, and including in particular whether the privatisation measure should be Gas or Public Transport;
3. Whether some Bills should be given a place now in the 1985-86 programme; and if so which.

16. You will also wish to guide the Cabinet to note the importance of maintaining or improving on the timetables notified in C(84) 9 and to agree that QL Committee should review the position of any Bill which fails to meet its timetable.

approved by ROBERT ARMSTRONG  
and signed in his absence.

*Lindsay Wilkinson*

29 February 1984