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From the Minister for Trade

The Rt Hon Viscount Whitelaw CH MC
Lord President of the Council
Privy Council Office
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*MPM
22/8*

21 August 1984

New Billi / Pt 3

In his letter of 24 November last to John Biffen, Norman Tebbit referred to the challenge which was under way in the Courts to our continued use of the Import, Export and Customs Powers (Defence) Act 1939 for controlling imports and exports. You will be pleased to know that because the applicant has failed to pursue his case, the Court of Appeal has now ordered that the case should be dismissed. Since the issue can now only be revived if the appellant were to obtain leave from the House of Lords (and I am advised that such leave is unlikely to be given in the circumstances), it seems that this challenge to our use of the Act has ended without embarrassment.

You will also recall that we had a place in the 1984/85 Legislative Programme for possible new legislation for controlling imports and exports, contingent upon the outcome of the Court case. In view of the dismissal of the appeal, it now seems unlikely that we will need legislation on this issue during the coming session.

I am copying this letter to the Prime Minister and Geoffrey Howe, Leon Brittan, Patrick Jenkin, John Biffen, Michael Jopling, Michael Havers, Patrick Mayhew, John Wakeham and Bertie Denham; and to Sir Robert Armstrong.

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PAUL CHANNON

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Trade: Non Tariff Barriers



22 AUG 1984

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25/11/84

PRIVY COUNCIL OFFICE
WHITEHALL LONDON SW1A 2AT

13 September 1984

Dear Paul

IMPORT, EXPORT AND CUSTOMS POWERS (DEFENCE) ACT 1939

Thank you for your letter of 21 August in which you informed me that it would be unlikely that we would need legislation to amend this Act during the coming Session. I now understand that the likelihood is so remote that you could agree to the removal of this Bill from the contingent section of the legislative programme. I am therefore writing to confirm that this will be done.

I am sending copies of this letter to the Prime Minister, the members of QL, the Secretaries of State for the Foreign and Commonwealth Office and the Environment, the Minister of Agriculture, Fisheries and Food, the Solicitor-General, First Parliamentary Counsel, and to Sir Robert Armstrong.

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The Rt Hon Paul Channon MP
Minister for Trade
Department of Trade and Industry

Trade non tariff barriers