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PRIME MINISTER

Legislative Programme 1982-83

BACKGROUND

On 22 April, the Cabinet invited the Home Secretary to arrange for QL to review their proposals for the legislative programme for 1982-83 in the light of the points made in discussion. The Home Secretary's memorandum (C(82) 22) reports the outcome. The Committee's revised proposals are set out in full in the Annexes to the memorandum, but the changes which they have made to the recommendations already considered by the Cabinet are as follows:-

- (i) The Data Protection Bill should be dropped from the programme.
- (ii) The Gas Safety Bill should be deleted, on the assumption that its substance can almost certainly be covered by regulations under the Health and Safety at Work Act.
- (iii) The Dock Work Regulation Bill's inclusion may have to be reconsidered later in the light of the industrial action threatened by the Transport and General Workers' Union in support of the extension of the dock labour scheme.
- (iv) The Further Education Bill, whose proposed provisions are in dispute between the Secretary of State for Education and Science and the Chief Secretary, should be dropped unless agreement on the policy is reached at the next meeting of H Committee (now arranged for Monday, 17th May).
- (v) The place in the programme of the Telecommunications Bill should be conditional on its being ready for introduction at the beginning of the Session.
- (vi) The Secretary of State for the Environment's offer to give up those provisions of his Housing and Building Control Bill which deal with the assignment of mortgages, housing association rent phasing arrangements and minor changes in housing law should be accepted, but the Bill should not (as he also suggested) be combined with his Mobile Homes Bill.

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- (vii) Subject to (vi), room should be found for the broader Water Bill favoured by the Secretary of State for the Environment.
- (viii) The Agricultural Holdings (Scotland) Bill should be added to the programme (the Minister of Agriculture will accept this, provided that no announcement is made in advance of The Queen's Speech).
- (ix) The withdrawal of supplementary benefit from 16 year olds, and the abolition of child dependency additions, should be dealt with in a separate Social Security Bill, rather than added to the uncontroversial Health and Social Services Bill as provisionally agreed by the Cabinet.
- (x) The decision, already announced, to write down the National Voluntary Severance Scheme (NVSS) debt should be implemented if possible by the addition of provisions to the contingent Bill on transport finance which the Secretary of State for Transport expects to have to bring forward next Session.
- (xi) The Royal Ordnance Factories Bill should not be included unless further legislative time unexpectedly becomes available.

HANDLING

2. After the Home Secretary has introduced his memorandum, you may wish the Cabinet to look first at the various options identified by QL for making further room in the programme before considering possible additions to it. The most important of the deletions firmly proposed is that of the Data Protection Bill. The Home Secretary sees extreme difficulties in having the Bill ready for Second Reading before Christmas, and thinks that it will provoke such controversy that its passage by the Summer Recess of next year must be regarded as highly doubtful. The Secretaries of State for Trade and for Industry and the Head of the Central Policy Review Staff tend to discount these difficulties, and fear that, unless we are seen to be taking early action to enable us to ratify the Council of Europe Convention on Data Protection, there will be a significant loss of business to United Kingdom providers and users of data processing services. It has not

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been argued outside that legislation is not required: the criticisms of the Home Office proposals have all been on the lines of "too little and too late". You and other Ministers have gone on record as saying that the need for legislation is urgent and hoping that it will come forward in the 1982-83 Session (e.g. you to Mr. Meacher on 9th February). The business managers will wish to comment on the Parliamentary implications of introducing a major controversial Bill just before or just after Christmas (it should be possible for the Bill to be ready by then) with a requirement to get it through by July. It may be suggested that the Bill should start in the Lords, so as to enable the Parliamentary reaction to be tested, and to circumvent the risk of the Bill becoming a victim of end of Session congestion in that House; but would it be damaging for the Government to introduce this Bill and fail to carry it? It is not essential for the Cabinet to take a final decision on the Bill now: the Home Secretary's earlier memorandum (C(82) 10) suggested that the decision should be taken later, in the light of reactions to the White Paper.

3. The Secretary of State for Energy can say whether he is content for the Gas Safety Bill to be dropped at this stage. He may say that he is still awaiting the recommendations of the interdepartmental working party on the feasibility of covering the position by regulations. In that event, the Bill should remain in the programme for the moment, though the Secretary of State might be asked to ensure that an early decision is reached.

4. The Secretary of State for Employment can give his assessment of how provocative the Dock Work Regulation Bill will be in the current state of industrial relations in the docks. Would it be seen as going back on his recent commitment to consider proposed extensions of the dock labour scheme on their merits on a case by case basis? When does the Secretary of State expect to be able to make a firm recommendation on whether or not to proceed with the Bill?

5. The Secretaries of State for Education and Science and for Industry can say whether they are content for the Further Education and Telecommunications Bills respectively to be given conditional places in the programme.

*Home Office
HSE
Policy not agreed MB*



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6. The Secretary of State for the Environment can then confirm that he is content with the position reached on his Water, Mobile Homes and Housing and Building Control Bills (he has expressed doubt in correspondence about the suitability of the Mobile Homes Bill for Lords introduction; it will be for Legislation Committee to take a final view on this when the Bill has been drafted).

7. In the light of the agreement reached between the Minister of Agriculture and the Secretary of State for Scotland, the Cabinet will no doubt endorse the recommended addition of the Agricultural Holdings (Scotland) Bill to the programme.

8. The Secretaries of State for Social Services and for Employment can say whether they have any objection to dealing with the proposed benefit changes in a short separate Bill. QL felt that the presentational arguments for adding these provisions to the Health and Social Services Bill were not strong enough to justify changing its character from that of a generally uncontroversial measure suitable for Lords introduction.

9. The Cabinet can do no more on the NVSS debt than to note that there is a commitment to write off the debt, and that if the Transport Finance Bill is not brought forward an alternative legislative vehicle will have to be found.

10. The Royal Ordnance Factories Bill would achieve a paper saving of 20,000 civil servants (whether or not an immediate buyer was forthcoming) by converting the Factories into a Companies Act company, but QL felt that this was not enough to secure it a place in the programme against competition from other Bills. The Secretary of State for Defence can say whether he can go along with the reserve status now proposed.

CONCLUSIONS

11. Subject to the course of the discussion, you will wish to guide the Cabinet to approve the programme set out in the Annexes to C(82) 22 (subject to the uncertainties to which the Home Secretary's memorandum refers); and to endorse the point made by the Home Secretary during the Cabinet's last discussion of the proposed programme about the need for Departments to adhere strictly to the stated timetable for the preparation of their Bills.

RA

Robert Armstrong

12th May 1982

PRIME MINISTER

PARLIAMENTARY AFFAIRS

Cabinet is taking a second look at next Session's legislative programme later on the Agenda. On the day when the House is taking its fifth debate on the Falklands, it could be useful to invite the Lord President and the Chief Whip to comment on how they see the rest of this Session, in the light of the time which has had to be taken for Falkland Islands matters. A brief discussion on this point might just help to concentrate minds for the later item.

I know that Lady Young is increasingly concerned about delays in getting business to the Lords. (For the first time, the Lords will not be holding a parallel debate on the Falklands tomorrow.) She will be seeking an opportunity to underline the problems she will have in the Lords for the rest of the Session. *She will also mention a defeat this week in the Lords on Gas Showrooms.*

MJD

12 May 1982

Prime Minister 2

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PRIVY COUNCIL OFFICE

WHITEHALL, LONDON SW1A 2AI

27 May 1982

Dear Wilke,

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LEGISLATIVE PROGRAMME

I have recently reviewed with the other business managers the prospects for the bills in this Session's legislative programme which have yet to receive Royal Assent.

Our present judgement is that it should be possible to dispose of the four outstanding bills (Oil and Gas Enterprise, Local Government Finance, Social Security and Housing Benefits, and Local Government and Planning (Scotland)) which need early Royal Assent before the Summer Adjournment. The Lords programme is, however, becoming increasingly difficult to manage, largely because of the need to find time for debates on the Falkland Islands crisis, and it now seems unlikely that the Employment, Transport and Criminal Justice Bills can all be dealt with in time to receive Royal Assent by the end of July. Depending on the rate of progress over the next two months, the passage of one or possibly two of these three Bills will probably have to be completed during the spillover.

We shall, of course, do all we can to ensure that there is no avoidable delay in dealing with these three Bills, but I thought that you and Norman Tebbit and David Howell (to whom I am copying this letter) would want to be aware of the position in which we find ourselves.

.../...

The Rt Hon William Whitelaw CH MC MP
Home Secretary
Queen Anne's Gate
London SW1

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An important factor in managing the remainder of this Session's programme will be the number and controversiality of Lords Amendments to the major outstanding Bills to be considered by the Commons. I should be very grateful if you could let me have your assessment of the extent and likely difficulty of the amendments so far made, or likely to be made, to the Criminal Justice and Local Government (Miscellaneous Provisions) Bills, and if Norman and David could provide similar information about their Bills.

I am copying this letter, for information, to other members of the Cabinet, to Michael Jopling, and to First Parliamentary Counsel and Sir Robert Armstrong.

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John Biffen

JOHN BIFFEN

Parliament

PARLIAMENTARY AFFAIRS

The provisional business does not allow for the debate on the Community to which we are now committed and the debate on the Falklands which may become inevitable. Wednesday has now been revised! MA 20/1

There were hopes that the Opposition might be persuaded to take Europe on the Supply Day, but they have now opted for half-day debates on the NHS pay issues and on the British Rail Engineering workshops closures. The Lord President and the Chief Whip will therefore want to raise the question whether the Supply Day should be set aside, so that they can meet the formal request now made by the Opposition for a debate on the Community issue in Government time. Alternatively, they will want to know whether colleagues believe that the Community debate can be held over until after the recess.

After consulting Mr. Silkin, the Lord President has decided to propose a Whitsun adjournment which would include Monday 7 June. In announcing it, he will want to make clear that the Government will be ready to curtail the recess, or to bring the House back during it, if developments over the Falklands make this necessary.

There is also a slight risk that the return of the House on 8 June, the day of President Reagan's address, might be misinterpreted.

MA

19 May 1982



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Qa 05919

To: PRIME MINISTER

10 May 1982

From: JOHN SPARROW

Legislative Programme 1982/83

1. I see that the Home Secretary's paper, C(82)22, of 10 May includes a recommendation that the Data Protection Bill should not be included in the programme of proposed legislation. I appreciate the very real risks of controversy and delay which will be incurred whenever legislation on data protection is introduced.

2. However, you should be aware that the industrial and commercial arguments for going ahead in the next Session are very strong. Other countries either have legislation in force or are moving towards it and, unless we keep up, they will be able to erect non-tariff barriers by legal means against the flow of information to and from this country. That would be a damaging state of affairs.

3. I am sending a copy of this minute to Sir Robert Armstrong.

Handwritten mark resembling a stylized 'P' or 'B' with a dot.

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