



CABINET OFFICE

70 Whitehall, London SW1A 2AS Telephone 01-233

JS 7/11

NOV 1983

Dear Private Secretary

LEGISLATION IN THE 1984/85 SESSION

In my letter of 24 October I gave you advance notice that this year the process of putting together the Government legislative programme for the following session would start rather earlier than in the past; and that we would simultaneously be asking Departments to identify subjects on which Bills might be offered to Private Members successful in next Session's ballot. We hope that these changes will enable detailed policy and drafting work to be spread over a longer period and where possible to be completed in advance of the new session, thereby reducing logjams later. I am now writing, therefore, to ask for your Minister's proposals for legislation in the 1984/85 session of Parliament-including any Bills which have already been given places in the programme for that session.

Government Bills

2. I should be grateful if you could let me have four copies of your Department's proposals (on white paper) in the form shown at Annex G. This is slightly changed from the equivalent form used in previous years. Notes on the completion of Annex G are also enclosed, and we should be grateful if you would follow them closely (they conclude with an illustration taken from last year's bids). The entries should be grouped by category of Bill, and numbered in order of priority within each category.

3. It is not possible at this stage to give absolutely clear guidance about the size and shape of the programme Ministers will wish to have. But in compiling bids you should take account of the following considerations. It should be assumed that the 1984/85 session will be of normal length, and it is intended that it should begin in October. There is likely to be substantial legislation on local government matters, and this may mean that the rest of the programme has to be shorter than usual. Particular importance will therefore attach to the order of priority in which Departments list their bids and what is said about their timing. It is not sufficient to say by when Royal Assent is wanted; the reason or reasons must also be given. Estimates about timing and comments about the state of readiness must be realistic, and in particular should take account of the length of time it will take to have a Bill properly drafted. Estimates which prove to be unrealistic will cause problems for all concerned later on, and may cause the business managers to press for a Bill to be dropped from the programme.

Private Secretary to -
Prime Minister

Private Members' Bills

4. I should be grateful if you would let me have four copies of a list, set out in the form at Annex PM (on white paper), of the Bills your Department considers would be suitable, and can be made ready, for offering to Private Members of the House of Commons who are successful in the ballot for Bills which will take place at the beginning of the 1984/85 session. The purpose of putting together this list now is to avoid a rush of requests for policy clearance and drafting authority at the beginning of the session when there is already considerable pressure of work on Government Bills. Once Departments' proposals have been considered and agreed, it should be possible to carry out preparatory work on at least some of the Bills in advance of the ballot. There is no guarantee that a particular Bill will be taken up - that is a matter for individual Private Members - but if it is not chosen in one session a ready-drafted Bill will remain available for subsequent sessions. Your Department's list should include any Bills which were offered in previous sessions without success and which you would like to offer again.

5. To be suitable for offering to a Private Member a Bill should normally be short, simple, non-financial and not controversial in party political terms. It may also be unsuitable if it is likely to be unpopular with prominent non-parliamentary interest groups, but such proposals may be included on the list provided that the likely reaction of outside groups is explained. There is no need to use a separate page of Annex PM to list each bid, but they should be numbered in the Department's order of priority.

Overlap between lists

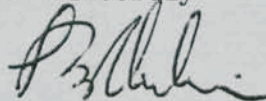
6. Departments may consider that some Bills merit places in the Government programme but would also be suitable for offering to Private Members. If genuinely suitable for both categories they should be included on both lists, with a cross-reference in each entry to the other one. Inclusion in the Private Members' list as well as the Government one will not necessarily lead to the Bill being dropped from the latter by QL Committee; it is important for each entry to make clear whether there are any special timing considerations which could influence the choice which is finally made.

Closing Date

7. I should be grateful if Departments could complete and let me have four copies of forms G and PM by Wednesday 14 December. If you have no candidates please let us have a 'nil' return.

8. I am sending this letter to the Private Secretaries to all Ministers responsible for Departments and copying it to Janet Lewis-Jones (Lord President's Office), David Heyhoe (Lord Privy Seal's Office), Murdo Maclean (Chief Whip's Office) and David Beamish (Lords Chief Whip's Office) and also to Sir George Engle (First Parliamentary Counsel) and Norman Adamson (First Parliamentary Draftsman for Scotland).

Yours sincerely



S B HICKSON

CATEGORY OF BILL:

PROPOSED GOVERNMENT BILLS 1984/85

NUMBER AND TITLE; PURPOSE	DEPT	POLITICAL ASPECTS	LENGTH; TIMING; PARL. PROCEUDRE	FINANCIAL; MANPOWER; EC IMPLICATIONS	STATE OF READINESS

NOTES ON COMPLETING ANNEX G (DESCRIPTION OF EACH BILL
PROPOSED FOR 1984/85 LEGISLATIVE PROGRAMME)

GENERAL

Entries should be in note form. If there is space successive items may be listed on the same page; conversely longer items may run over onto a further page.

CATEGORY OF BILL

1. Each Bill should be described as 'essential', 'contingent', 'programme' or 'uncontroversial'. There are notes on these descriptions below. Where different parts of a Bill would fall into different categories, please include brief notes on this at the foot of the Bill's entry in the PURPOSE column.

a. Essential. Bills may be included in this category only if they must be enacted during the Session in question, eg because existing powers or finance would otherwise expire or because of treaty obligations. Please give the reason in the PURPOSE column. A Bill should not be described as essential simply because it has high political priority; that can be made clear in the POLITICAL ASPECTS column. A Bill which is basically essential can sometimes include some non-essential items too. They should be clearly distinguished and before including them Departments should consider their effect on the length of the Bill and the need to avoid controversial provisions which might affect the Bill's prospects of enactment by the required date.

b. Contingent. These are Bills which might during the relevant Session become essential as defined above. Bills which may become desirable for some other reason should be included in the 'programme' or 'uncontroversial' category - with a brief explanation at the bottom of the PURPOSE entry of what they depend on.

c. Programme. These are Bills which can already be identified as being desirable for enactment in the relevant session, have a significant political priority and can be prepared in time.

d. Uncontroversial. Bills which are desirable for enactment in the relevant session but are not expected to be controversial in Parliament. It will be assumed that a Bill in this category is suitable for Second Reading Committee Procedure (see paragraph 8b. below) unless the PARLIAMENTARY PROCEDURE entry specifically records that it is not, and briefly indicates why. In the case of a Bill which might also be suitable for a Private Member, reference to this should be made in the PARLIAMENTARY PROCEDURE column and a full entry for the Bill should also be made in the separate schedule proposing Bills suitable for offering to Private Members (Annex PM).

NUMBER AND TITLE

2. Within each category, please number your Bills in the order in which your Department would like to give them priority. As regards the title, a provisional wording is quite acceptable.

PURPOSE

3. Please list the various topics to be covered by the Bill, briefly indicating the purpose in each case. This list should cover all the substantive topics likely to be included. Because of their impact on drafting capacity and parliamentary handling, the business managers and other members of Legislation Committee are likely to resist attempts to make substantial additions later on.

DEPARTMENT

4. It is sufficient to use the short form: eg "DHSS", "DTp".

POLITICAL ASPECTS

5. Please state briefly what, if any, firm public commitments have been given by the Government about the Bill's introduction or timing. Please also cover briefly -

- a. its likely reception in Parliament, including whether it is likely to arouse particular interest in the House of Lords;
- b. what the attitude of the official Opposition is likely to be;
- c. whether it is likely to be controversial politically or for any other reason;
- d. whether there is pressure for the Bill from groups representing particular interests;
- e. whether it is likely to appeal to or be strongly opposed by any particular sections of the community.

LENGTH

6. An estimate of the length of the Bill is needed so that the demands on drafting capacity and Parliamentary time can be assessed at the earliest possible stage. It will not normally be possible to give an accurate forecast of the number of clauses and schedules, but some indication such as 'very short' (not more than 4 clauses), 'short' (5-12 clauses), 'medium' (13-25 clauses), 'substantial' (26-50 clauses) or 'long' (over 50 clauses) would be useful. If the Bill would be short but the schedules large please say so. Where a Bill would cover more than one distinct topic, please indicate roughly what proportion of the Bill would be devoted to each topic.

TIMING

7. For 'essential' and 'contingent' Bills, please give with reasons the date by which Royal Assent is needed. For other Bills, please give a target date only if Royal Assent is essential or desirable before the end of the session. Please make it clear in each case whether Royal Assent by a particular date is essential - eg because borrowing limits will otherwise be exceeded - or desirable but not essential.

PARLIAMENTARY PROCEDURE

8. A Bill may be suitable for special forms of Parliamentary procedure. Please state whether it might be suitable for any of the following -

- a. Introduction in the House of Lords;
- b. Second Reading Committee procedure in the House of Commons - that is, the Bill is likely to be accepted on all sides of the House as uncontroversial and of little or no political significance (there is no need to mention this specifically in the case of Bills categorised as 'uncontroversial');
- c. Scottish or Welsh Grand Committee procedure in the House of Commons;
- d. Offering to a Private Member successful in the Ballot - that is short, simple, non-controversial in party political terms and without significant financial implications. (In such a case a full entry for the Bill should also be made in the separate schedule dealing with Bills suitable for Private Members - Annex PM.)

If it is thought that a Bill will or may be hybrid, please say so.

FINANCIAL AND MANPOWER IMPLICATIONS

9. Please indicate the effect on central and local government expenditure and manpower of the proposed Bill for the PES period and whether PES provision has been made for any necessary expenditure. Any separate implications for the Public Sector Borrowing Requirement (PSBR) should also be mentioned, especially if they affect the date by which Royal Assent is required (see also paragraph 7 above on TIMING).

EUROPEAN COMMUNITY (EC) IMPLICATIONS

10. Please say whether the Bill is required to fulfil any European Community (EC) commitment. If so, any relevant timing considerations should also be mentioned under TIMING.

STATE OF READINESS

11. We need to have the best possible estimates of -

- a. when Ministers' collective policy clearance will be sought (ie from the appropriate Ministerial Cabinet Committee). Please indicate specifically those areas of policy which are not yet settled or on which policy decisions may be protracted;
- b. when firm instructions will be delivered to Parliamentary Counsel. (If it is proposed to deliver instructions in instalments or at different times for different topics please give details); and
- c. when the Bill is expected to be ready for introduction.

CONFIDENTIAL

It is important to have realistic estimates to enable Ministers to plan the use of Parliamentary time. Over-optimistic timetables are unhelpful all round. Please be as specific as you can - indicating where possible 'early', 'mid' or 'late' when naming a month. In cases of doubt, earliest and latest dates should be given for each stage. Account should be taken of Parliamentary Counsel's absence on leave (normally for the whole of August).

Cabinet Office

November 1983

CATEGORY OF BILL: PROGRAMME

PROPOSED GOVERNMENT BILLS 1984/85

NUMBER AND TITLE; PURPOSE	DEPT	POLITICAL ASPECTS	LENGTH; TIMING; PARL. PROCEUDRE	FINANCIAL; MANPOWER; EC IMPLICATIONS	STATE OF READINESS
<p>3. ROADS (SCOTLAND)</p> <p>To bring existing roads legislation up-to-date by (i) re-enacting in modern form provisions of Burgh Police (Scotland) Acts 1892 and 1903 and local legislation especially on construction, use, maintenance and expenditure; (ii) implementing certain roads recommendations of Stodart Committee; (iii) replicating some England and Wales provisions in Highways Act 1980. Also to pave way for consolidation of Scottish legislation.</p>	SO	<p style="text-align: center;">E X A M P L E</p> <p>Promised for some years; 1982 commitment in House to 'forthcoming Roads Bill'. Opposition unlikely to resist; other members probably neutral except on snow clearing. Local authorities have urged legislation. [Delay to a later session would require renewal of an order and attract criticism.]</p>	<p><u>Long:</u> up to 100 cl., but schedules may replace some.</p> <p><u>Timing of Royal Assent</u> - no special considerations.</p> <p><u>Parl. Procedure</u> - suitable for Lords introduction and Scottish Grand Committee.</p>	<p><u>Financial</u> Requirement for private developers to install lighting will save local authorities £1.5 to £2m per annum; possible duty to clear snow could cost £1m initially and £2.5m per annum. Net increase to be met from within Scottish roads and transport PES.</p> <p><u>Manpower</u> - no net change.</p> <p><u>EC</u> - no implications</p>	<p><u>Policy</u> Approved 29.4.82 by H correspondence.</p> <p><u>Instructions</u> probably mid-April</p> <p><u>Introduction</u> late Oct/ early Nov.</p>

PROPOSED PRIVATE MEMBER HANDOUT BILLS 1984/85

NUMBER AND TITLE; PURPOSE	DEPT	LENGTH	INTEREST GROUPS AFFECTED AND LIKELY ATTITUDES	ANY FINANCIAL, MANPOWER OR EC ASPECT	POLICY APPROVAL: WHEN AND WHERE OBTAINED/ TO BE SOUGHT

GOVERNMENT LEGISLATION(i) Awaiting Second Reading

Data Protection (L)
 Health and Social Security
 Merchant Shipping (Miscellaneous Provisions) (L)(Ctte)
 Occupiers' Liability (L) (Ctte)

(ii) Standing Committee

London Regional Transport
 Police and Criminal Evidence
 Rating and Valuation (Amendment) (Scotland)
 Trade union

(iii) Awaiting Committee on the Floor(iv) Awaiting Report and Third Reading

Housing and Building Control
 Prevention of Terrorism
 Tenants' Rights, etc (Scotland) (Amendment)

(v) Orders and Regulations

	<u>Date Laid</u>	<u>Whether Controversial</u>	<u>Date Required</u>
* British Waterways Board	9/11	No	By Christmas
* Customs and Excise Duties (2 Orders)	29/11	No	Within 28 days of laying
* Customs and Excise (ECSC)	1/12	No	By Christmas
District Electoral Areas (N.I.)	15/12		New Year
* Employment Protection	1/12	?	January
* Eurocontrol	9/11	No	By Christmas
Fisheries (Amendment) (N.I.)	15/11	No	By 21/12/83
Medicines	15/12		New Year
Pedal Cycles	8/12		January
* Pneumoconiosis	16/11	No	By Christmas
Social Security (3 Orders)	17/11	Maybe	By Christmas
* Statutory Sick Pay	29/11	No	By Christmas
Urban Development	5/12		New Year
* S.I. Committee			

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NO

Lords

- Agricultural Holdings (L)
- Animal Health and Welfare (L)
- British Shipbuilders (Borrowing Powers)
- Cable and Broadcasting (L)
- Coal Industry
- ∅ County Courts (L)
- Education (Grants and Awards)
- Foreign Limitation Periods (L)
- Fosdyke Bridge (L)
- ∅ Foster Children (Scotland) (L)
- Inshore Fishing (Scotland) (L)
- Matrimonial and Family Proceedings (L)
- Petroleum Royalties (Relief)
- Repatriation of Prisoners (L)
- Restrictive Trade Practices (Stock Exchange)
- Roads (Scotland) (L)
- Somerset House (L)
- Telecommunications
- Tourism (Overseas Promotion) (Scotland) (L)
- Town and Country Planning

∅ Consolidation

Bills placed upon the Statute Book (9)

Appropriation (No.2) 1983

Car Tax 1983

Companies (Beneficial Interests) 1983

Finance (No.2) 1983

International Monetary Arrangements 1983

Local Authorities (Expenditure Powers) 1983

Medical 1983

Oil Taxation 1983

Value Added Tax 1983

GOVERNMENT LEGISLATION(i) Second Reading

Data Protection (L)
 Health and Social Security
 London Regional Transport
 Merchant Shipping (Miscellaneous Provisions) (L)
 Occupiers' Liability (L)
 Rating and Valuation (Amendment) (Scotland)
 Town and Country Planning

A
 2/12

(ii) Standing Committee

Coal Industry
 Education (Grants and Awards)
 Police and Criminal Evidence
 Prevention of Terrorism
 Tenants' Rights, etc (Scotland) Amendment
 Trade Union

(iii) Report and Third Reading

Housing and Building Control
 Telecommunications

(iv) Orders and Regulations

	<u>Date Laid</u>	<u>Whether Controversial</u>	<u>Date Required</u>
Agriculture and Horticulture (2 Orders)	30/11	No	By Christmas
Appropriation (No.3) (N.I.)	23/11	No	For debate, 8/12
British Waterways Board	9/11	No	By Christmas
* Consumer Credit	3/11	No	By mid-December
Customs and Excise Duties (2 Orders)	29/11	No	Within 28 days of laying
Eligibility for Release	1/12	Yes	By Christmas
Eurocontrol	9/11	No	By Christmas
* Farm Structure	8/11	No	By 14 December
Fisheries (Amendment) (N.I.)	15/11	No	By 21 December
Northern Ireland (Emergency Provisions)	24/11	Yes	For debate, 8/12
* Pneumoconiosis	16/11	No	By Christmas
Social Security (3 Orders)	17/11	Maybe	By Christmas
Statutory Sick Pay	29/11	No	By Christmas
VAT (Charities Etc)	24/11	No	Within 28 days of laying

*S.I. Committee

Lords

Agricultural Holdings (L)
Animal Health and Welfare (L)
British Shipbuilders (Borrowing Powers)
Cable and Broadcasting (L)
∅ County Courts (L)
Foreign Limitation Periods (L)
Fosdyke Bridge (L)
∅ Foster Children (Scotland) (L)
Inshore Fishing (Scotland) (L)
Matrimonial and Family Proceedings (L)
Petroleum Royalties (Relief)
Repatriation of Prisoners (L)
Restrictive Trade Practices (Stock Exchange)
Roads (Scotland) (L)
Somerset House (L)
Tourism (Overseas Promotion) (Scotland) (L)

∅ Consolidation

Bills placed upon the Statute Book (9)

Appropriation (No.2) 1983

Car Tax 1983

Companies (Beneficial Interests) 1983

Finance (No.2) 1983

International Monetary Arrangements 1983

Local Authorities (Expenditure Powers) 1983

Medical 1983

Oil Taxation 1983

Value Added Tax 1983

GOVERNMENT LEGISLATION

- (i) Second Reading
 Data Protection (L)
 Merchant Shipping (Miscellaneous Provisions) (L)
 Occupiers' Liability (L)
 Rating and Valuation (Amendment) (Scotland)

- (ii) Committee of Whole House
 Restrictive Trade Practices (Stock Exchange)

- (iii) Standing Committee
 Coal Industry
 Education (Grants and Awards)
 Housing and Building Control
 Police and Criminal Evidence
 Prevention of Terrorism
 Telecommunications
 Tenants' Rights, etc (Scotland) Amendment
 Trade Union

- (iv) Orders and Regulations

	<u>Date Laid</u>	<u>Whether Controversial</u>	<u>Date Required</u>
Appropriation (No.3) (N.I.)	23/11	No	By P.C. Mtg on 21/12
British Waterways Board	9/11	No	By Christmas
* Consumer Credit	3/11	No	By mid-December
* Double Taxation Relief (3 Orders)	27/7+ 3/11	No	By Christmas
Eurocontrol	9/11	No	By Christmas
* Farm Structure	8/11	No	By 14 December
Fisheries (Amendment)(N.I.)	15/11	No	By 21 December
Judgements Enforcement	11/11	No	For debate, 30/11
* Legal (6 Orders)	8/11 + 14/11	No	By 29 November
Northern Ireland (Emergency Provisions)	24/11	Yes	By Christmas
Pneumonoconiosis	16/11	No	By Christmas
Social Security (3 Orders)	17/11	Maybe	By Christmas
VAT (Charities Etc)	24/11	No	Within 28 days of laying

* S.I. Committee

Lords

Agricultural Holdings (L)

British Shipbuilders (Borrowing Powers)

Foreign Limitation Periods (L)

Fosdyke Bridge (L)

∅ Foster Children (Scotland)(L)

Inshore Fishing (Scotland)(L)

Matrimonial and Family Proceedings (L)

Oil Taxation

Petroleum Royalties (Relief)

Roads (Scotland) (L)

Somerset House (L)

Tourism (Overseas Promotion)(Scotland)(L)

∅ Consolidation

Bills placed upon the Statute Book (8)

Appropriation (No.2) 1983

Car Tax 1983

Companies (Beneficial Interests) 1983

Finance (No.2) 1983

International Monetary Arrangements 1983

Local Authorities (Expenditure Powers) 1983

Medical 1983

Value Added Tax 1983

GOVERNMENT LEGISLATION

(1) Second Reading

Data Protection (L)
Merchant Shipping (Miscellaneous Provisions) (L)
Occupiers' Liability (L)
Restrictive Trade Practices (Stock Exchange)

(ii) Standing Committee

Coal Industry
Education (Grants and Awards)
Housing and Building Control
Police and Criminal Evidence
Prevention of Terrorism
Telecommunications
Tenants' Rights, etc (Scotland) Amendment
Trade Union

(iii) Orders and Regulations

	<u>Date Laid</u>	<u>Whether Controversial</u>	<u>Date Required</u>
*Access to the Countryside (N.I.)	27/10	No	By Christmas
British Waterways Board	9/11	No	By Christmas
Consumer Credit	3/11	No	By mid-December
*Double Taxation Relief (3 Orders)	27/7 + 3/11	No	By Christmas
Eligibility for Release	10/11	No	By end of November
Eurocontrol	9/11	No	By Christmas
Farm Structure	8/11	No	By 14 December
Fisheries (Amendment) (N.I.)	15/11	No	By 21 December
*Housing (Scotland)	26/10	No	A.S.A.P.
Judgements Enforcement	11/11	No	By 15 December
*Legal (6 Orders)	8/11 + 14/11	No	By 29 November
Social Security (3 Orders)	17/11	Maybe	By Christmas

* S.I. Committee

Lords

Agricultural Holdings (L)

British Shipbuilders (Borrowing Powers)

Foreign Limitation Periods (L)

Fosdyke Bridge (L)

∅ Foster Children (Scotland) (L)

Matrimonial and Family Proceedings (L)

Oil Taxation

Petroleum Royalties (Relief)

Roads (Scotland) (L)

Somerset House (L)

∅ Consolidation

Bills placed upon the Statute Book (B)

Appropriation (No.2) 1983

Car Tax 1983

Companies (Beneficial Interests) 1983

Finance (No.2) 1983

International Monetary Arrangements 1983

Local Authorities (Expenditure Powers) 1983

Medical 1983

Value Added Tax 1983

GOVERNMENT LEGISLATION(i) Second Reading

Coal Industry
 Data Protection (L)
 Education (Grants and Awards)
 Oil Taxation
 Police and Criminal Evidence
 Restrictive Trade Practices (Stock Exchange)
 Trade Union

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[Handwritten initials]

(ii) Standing Committee

Housing and Building Control
 Prevention of Terrorism
 Telecommunications
 Tenants' Rights, etc (Scotland) Amendment

(iii) Orders and Regulations

	<u>Date Laid</u>	<u>Whether Controversial</u>	<u>Date Required</u>
Access to the Countryside(N.I.)	27/10	No	By Christmas
Consumer Credit	3/11	No	By mid Dec.
* Development Bank (2 Orders)	8/7	No	Early November
Housing (Scotland)	26/10	No	A.S.A.P.
Legal Advice and Assistance	31/10	No	A.S.A.P.
* Maximum Number of Judges	24/10	No	By 11/11
Sheep Variable Premium	15/7	No	For debate 7/11
* VAT	27/7	No	A.S.A.P.

* S.I. Committee

Lords

Agricultural Holdings (L)

British Shipbuilders (Borrowing Powers)

Foreign Limitation Periods (L)

Fosdyke Bridge (L)

∅ Foster Children (Scotland) (L)

Matrimonial and Family Proceedings (L)

Merchant Shipping (Miscellaneous Provisions) (L)

Occupiers' Liability (L)

Petroleum Royalites (Relief)

∅ Consolidation

Bills placed upon the Statute Book (8)

Appropriation (No.2) 1983

Car Tax 1983

Companies (Beneficial Interests) 1983

Finance (No.2) 1983

International Monetary Arrangements 1983

Local Authorities (Expenditure Powers) 1983

Medical 1983

Value Added Tax 1983