



PRIVY COUNCIL OFFICE
WHITEHALL, LONDON SW1A 2AT

27 April 1984

Dear Gray,

Dr
27/4

Thank you for your letter of 13 April about the updating of the Schedule 1 to the House of Commons Disqualification Act.

I am content that publication of the promised factual analysis should be deferred as you suggest. I say this, however, on the understanding that should the question of the 'review' be raised during the debate on the proposed Resolution it should be referred to as a "factual analysis of the existing provisions" and that we should be prepared if necessary to disclaim the intention of proposing any general review in this field.

As far as the timing of the debate is concerned, I think that we are slightly less constrained than you suggest. My understanding is that while it is true to say that the draft Order and any other papers must be with the Privy Council Office before 14 May, it is open to us (provided we are confident of the Resolution being passed and advise the Privy Council accordingly) to hold the debate any time up to the eve of the Privy Council meeting on 18 May. Given the present pressures on Parliamentary time I must say that to provide for a debate within even this timescale will be difficult: but in view of the desirability of bringing the schedule up to date before the European elections I am prepared to undertake to do so.

I am copying this letter to the recipients of yours.

JOHN BIFFEN

Rt Hon the Earl of Gowrie

Parliament 1912

Legislation

27 APR 1994





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CABINET OFFICE

From the Minister of State

Lord Gowrie

MANAGEMENT AND PERSONNEL OFFICE

Great George Street
London SW1P 3AL
Telephone 01-233 8610

The Rt Hon John Biffen MP
Lord Privy Seal and
Leader of the House of Commons
68 Whitehall
London SW1

13 April 1984

Dear John,

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16/4.

UPDATING OF SCHEDULE 1 TO THE HOUSE OF COMMONS DISQUALIFICATION
ACT 1975

Thank you for your letter of 7 ^{attached} March

We have now revised the Order and explanatory note to take account of comments from colleagues and are ready to table the necessary resolution. Copies are attached. We propose, if you agree, to do so immediately after the Easter recess. It would be helpful if a slot could then be found for debate, perhaps in the week beginning 4 May. The timing of the Privy Council meetings means that the latest possible date for debate is 10 May.

We are also proposing to follow last year's practice and have an arranged PQ to tell members where they can get copies of the Explanatory Note. This will be tabled on 25 April. We were criticised last year for placing copies of this in the Library rather than in the Vote Office. Several members with an interest had difficulties in finding it. This year therefore Barney Hayhoe and I suggest that it goes in the Vote Office.

I originally proposed, as you know, that we should publish the promised factual analysis of the House of Commons Disqualification Act 1975 at the same time as the updating. This would have meant that we would have attached the factual analysis to the Explanatory Note and made it available next week. Jim Prior has now told me that this could cause him difficulties because of the imminent publication of the report from the New Ireland Forum. Publication of the factual analysis at the same time would revive interest in the controversial issue of disqualification for the Northern Ireland Assembly. I now

propose therefore to defer publication of the factual analysis until May - the precise time to depend on the timing of the New Ireland Forum report. Publication would of course be low key as you suggest. I will circulate the final version of the paper together with a draft arranged PQ to you and other colleagues nearer the time.

Copies of this letter go to members of the Cabinet, the Lord Advocate and to John Wakeham.

L. G.
re/ny

LORD GOWRIE

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Mr. D. H. G. G.
Disqualifi
Box No. 4

HOUSE OF COMMONS DISQUALIFICATION ACT 1975

Notes on the Resolution to amend Schedule 1

A Resolution made under section 5(1) of the House of Commons Disqualification Act 1975, to amend Schedule 1 to the Act, has been laid before Parliament. This note provides information on the origin and effect of each amendment proposed in the Resolution, together with a short introductory note on the Act.

Introduction to the Act

1. The House of Commons Disqualification Act 1975 (the Act) is concerned mainly with offices which debar their holders from membership of the House of Commons on the grounds that the duties and responsibilities of one post may conflict with or adversely affect performance in the other. The legislation was first enacted in 1957, and was re-enacted, unchanged in substance and as a consolidating measure, in 1975 when offices disqualifying for the Northern Ireland Assembly were separated out and covered by the Northern Ireland Assembly Disqualification Act 1975.

2. The main purpose of disqualification is to ensure that Members are fit and proper people to sit in the House, able to carry out their duties and responsibilities free from undue pressures from other sources.

3. Broadly speaking, members of the civil service, police and armed forces (with specified exceptions), and members of foreign Legislature are disqualified in the main provisions of the Act which cannot be amended by subordinate legislation. All other disqualifying offices (judicial offices, bodies all of whose members are disqualified, individual offices, and others disqualifying for particular constituencies) are specified in a Schedule which may be amended by Order in Council following a Resolution in the House of Commons. Amendments to the Schedule may also be made by primary legislation, eg that establishing or winding up a statutory body.

Schedule 1

4. Schedule 1 to the Act is a comprehensive list of those offices which disqualify the holder for membership of the House of Commons and which are not covered by the group disqualifications, eg the civil and armed services, set out in section 1 of the Act. The Schedule is divided into 4 parts:

- Part I - Judicial offices disqualifying for membership.
- Part II - Bodies of which all members are disqualified for membership.
- Part III - Other disqualifying offices.
- Part IV - Offices which disqualify for particular constituencies.

Criteria for Disqualification

5. The criteria were drawn up during the preparation of the 1957 Act. They were made known to Departments considering the position of individual offices for which they were responsible and have since been applied administratively. There are

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four basic criteria, three of which have been applied since 1957 and the fourth (b below) has been more recently adopted. Offices disqualify if they meet any one of these criteria, though many meet several. They are as follows:

a. Paid offices in the gift of the Crown or Ministers (to prevent 'trivial' disqualifications, a minimum salary level of £500 pa was adopted in 1957, rising to £4,000 in 1983, although offices with remuneration below this level may be disqualified at the Minister's discretion).

b. Certain positions of control in companies in receipt of Government grants and funds, to which Ministers usually, though not necessarily, make nominations.

(These two criteria are to ensure a sufficient degree of separation between the Legislature, Executive and Judiciary and to secure their independence of each other.)

c. Offices imposing duties which with regard to time or place would prevent their holders from fulfilling Parliamentary duties satisfactorily, ie they would take up too much time or otherwise prevent an MP from attending Parliament.

d. Offices whose holders are required to be, or to be seen to be, politically impartial.

(This criteria relates to the need to preserve the integrity of the office in question rather than to protect the House.)

The Resolution

6. The Resolution is tabled under Section 5(1) of the Act. Its purpose is to amend Schedule I by adding certain offices and amending or deleting existing entries where separate primary legislation has not been used.

7. The Resolution covers 20 amendments of Schedule I.

8. The proposed amendments will bring approximately 21 office holders into Schedule I while releasing 130 others.

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PART II - BODIES OF WHICH ALL MEMBERS ARE DISQUALIFIED

Entries to be deleted

1. Entry to be deleted: A Value Added Tax Tribunal

An entry referring only to the President, Vice President and full-time Chairmen of a VAT Tribunal, is proposed for addition to Part III (See No 6). It is suggested that part-time Chairmen and members could be released from disqualification as the time spent sitting on Tribunals is not such that it would prevent them from also serving as Members of Parliament. They are paid between ~~£63 - £109~~ per day but do not in practice receive more than £500 pa. ~~£70 - £122~~

7 part-time Chairmen and 118 part-time members will be released from disqualification.

Sponsored by HM Customs and Excise.

PART III - OTHER DISQUALIFYING OFFICES

Additional entries

2. New entry: Advocate Depute (not being the Solicitor General for Scotland) appointed by the Lord Advocate

The office-holders are Senior or Junior Counsel appointed from the Scottish Bar by the Lord Advocate and are paid £18,100 pa. They hold a Commission from the Lord Advocate to prosecute on his behalf in criminal cases in the High Court of Justiciary and in important cases in the Sheriff Courts.

Over the years the work of Advocates Depute has considerably increased and office-holders would be unable to carry out the duties of a Member of Parliament. _

There are currently 12 office-holders who will come into the Schedule. They are not appointed ad hoc in relation to any case, but remain Advocates Depute until such time as they resign or are removed from office, cases being assigned to them on an administrative basis.

Sponsored by the Lord Advocate's Department.

3. New entry: Chairman or Chief Executive of the Simplification of International Trade Procedures Board

The Chairman is appointed by a Minister and is paid expenses only. He heads SITPRO's budget steering committee and plays a key role in deciding how the body's £500,000 pa funds are spent.

The Chief Executive is appointed by the Chairman and is paid £26,000 pa.

The body was set up by administrative action in 1970 and is funded from the British Overseas Trade Board's grant-in-aid.

The proposed new entry will bring two office-holders into the Schedule.

Sponsored by the Department of Trade and Industry.

4. New entry: Controller of Audit appointed under Section 97(4) of the Local Government (Scotland) Act 1973

The Commission for Local Authority Accounts in Scotland appoints the office-holder after consultation with, and subject to the approval of, the Secretary of State. All members of the Commission are themselves disqualified under Part II of Schedule I.

The office-holder needs to be seen to be politically impartial. He is paid by the Commission which is itself supported by a levy on local authorities (93 per cent) and grant in aid from central government (7 per cent), principally the Scottish Office.

The office was established in 1973 but the need to disqualify has only recently been recognised.

Sponsored by the Scottish Office.

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- 5. New entry: Controller of Audit appointed under paragraph 7(1) of Schedule 3 to the Local Government Finance Act 1982

The Controller of the Audit Commission is appointed by the Secretary of State for the Environment and the Secretary of State for Wales. The Chairman and members of the Commission are themselves disqualified under Part III of Schedule 1.

The office holder needs to be seen to be politically impartial, and the duties of the office would prevent him from fulfilling Parliamentary duties satisfactorily. He is paid by The Commission, which is itself supported by fees charged to local authorities for audit of their accounts. The office was established in 1982.

The proposed new entry will bring one office holder into the Schedule. Sponsored jointly by the Departments of the Environment and the Welsh Office.

- 6. New entry: Director of Britoil plc nominated by a Minister of the Crown or Government Department

The Government Directors of Britoil plc are appointed by the Treasury under the company's Articles of Association. They are paid by Britoil (in the same way as the company's other non-executive directors). There is a need for them to be seen to be politically impartial.

The proposed new entry will bring two office-holders into the Schedule.

Sponsored by the Treasury.

- 7. New entry: President, Vice President and full-time Chairman of a Value Added Tax Tribunal

The existing entry referring to all members of the body is suggested for deletion from Part II of the Schedule. This proposed new entry does not include part-time Chairmen and members as it is thought that the time they spend sitting on Tribunals is not such that it would prevent them from also serving as Members of Parliament (see No 1).

The office-holders covered by the proposed new entry are appointed by the Lord Chancellor and are paid between ~~£24,000 - £30,000~~ pa.

£13,375 - £33,750 pa.

Sponsored by HM Customs and Excise.

Entries to be deleted

8. Entry to be deleted: Chairman of the Electricity Consumer Council

This entry is now redundant since the Electricity Consumers' Council is now established under section 21 of the Energy Act 1983 (c.25), and paragraph 11 of Schedule 2 to that Act inserted (wef 1 September 1983) an entry into Part III of Schedule 1 relating to "Chairman in receipt of remuneration of the Electricity Consumers' Council".

9. Entry to be deleted: Chairman of any of the National Boards constituted under the Nurses, Midwives and Health Visitors Act 1979, if appointed by the Secretary of State under Section 5(8)(a) of that Act.

From September 1983 the office-holders are not appointed by a Minister. This follows the Nurses, Midwives and Health Visitors Act 1979 (Membership of National Boards) Order 1982 (SI 1982/962).

4 office-holders are removed from Schedule 1.

Sponsored by the Department of Health and Social Security, Welsh Office, Scottish Home and Health Department and Department of Health and Social Services for Northern Ireland.

10. Entry to be deleted: Director of the Scottish Agricultural Securities Corporation plc nominated by a Minister of the Crown or government department

The Government's right to nominate a Director of the Company lapsed in February 1983 upon the completion of debt repayment. The last Director nominated by the Government resigned his post during 1983.

Sponsored by the Department of Agriculture and Fisheries for Scotland.

11. Entry to be deleted: Distributor of Stamps appointed by the Commissioners of Inland Revenue for the Stock Exchange at Glasgow

The business conducted by the office-holder on behalf of the Inland Revenue is now minimal. Moreover, the business is delegated and he does not personally benefit from the very small commission paid by the department.

The proposed deletion will remove one office-holder from the Schedule.

Sponsored by the Inland Revenue.

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Amendments

12. Amend the entry: Chairman of the Distinction and Meritorious Service Committee for Northern Ireland

to read: Chairman of the Distinction and Meritorious Service Awards Committee for Northern Ireland

The body's title was incorrectly shown when the 1983 amending Order was made.

Ministers are involved in the appointment of the office-holder who is paid.

Sponsored by the Department of Health and Social Services for Northern Ireland.

13. Amend the entry: Paid Chairman of a Health Board constituted under the National Health Service (Scotland) Act 1972

to read: Paid Chairman of a Health Board constituted under the National Health Service (Scotland) Act 1978

The earlier legislation has been superseded by the 1978 Act.

There are 15 Chairmen who are appointed by the Secretary of State for Scotland and receive an honorarium of between £2530-£9628 pa.

Sponsored by the Scottish Home and Health Department.

14. Amend the entry: Chairman of the Management Committee of the Common Services Agency for the Scottish Health Service

to read: Chairman of the Management Committee of the Common Services Agency for the Scottish Health Service constituted under the National Health Service (Scotland) Act 1978

The Chairman is appointed by the Secretary of State and is paid £5225 pa. Reference to the legislation in the entry is proposed for additional clarity and to conform with other similar entries.

Sponsored by the Scottish Home and Health Department.

15. Amend the entry: Chairman of the Post Office Users' National Council

to read: Chairman of any of the Post Office Users' Councils established under section 14 of the Post Office Act 1969.

Sponsored by the Department of Trade and Industry

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Electoral registration officers are responsible for the registration of electors and the consideration of absent voting applications and in England and Wales may be designated as acting returning officers at Parliamentary and European Parliament elections. Returning officers in Scotland are appointed under section 25(1) of the Representation of the People Act 1983 and are already included in part III of the Schedule. Electoral Registration Officers should be seen to be politically impartial.

There are no additional office-holders brought into the Schedule.

Sponsored by the Home Office and Scottish Home and Health Department.

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PART IV - OFFICES DISQUALIFYING FOR PARTICULAR CONSTITUANCES

20. Amend the entry: Her Majesty's Commissioner of
Lieutenancy in the City of London

E I
The Cities of
London and
Westminster

to read:

Her Majesty's Commissioner of
Lieutenancy in the City of London

The constituency comprising the whole of the City of London.

The boundaries of the constituency containing the whole of the City of London were redrawn and a new name given to it in 1983. Further changes could be made after future reviews by the Parliamentary Boundary

Commission for England

Sponsored by the Home Office.

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DRAFT RESOLUTION

HOUSE OF COMMONS DISQUALIFICATION ACT 1975

That Schedule 1 to the House of Commons Disqualification
1975
Act be amended as follows:-

PART II OF SCHEDULE 1

1. The following entry shall be omitted:-

"A Value Added Tax Tribunal."

PART III OF SCHEDULE 1

Additional entries

2. There shall be inserted at the appropriate places:-

"Advocate Depute (not being the Solicitor General
for Scotland) appointed by the Lord Advocate.

Chairman or Chief Executive of the Simplification
of International Trade Procedures Board.

Controller of Audit appointed under section 97(4) of
the Local Government (Scotland) Act 1973.

Controller of Audit appointed under paragraph 7(1) of
Schedule 3 to the Local Government Finance Act
1982.

Director of Britoil p.l.c. nominated by a Minister of
the Crown or government department.

President or Vice-President of Value Added Tax
Tribunals or full-time chairman of value added tax
tribunals."

Entries omitted

3. The following entries shall be omitted:-

"Chairman of the Electricity Consumer Council.

Chairman of any of the National Boards constituted
under the Nurses, Midwives and Health Visitors Act
1979, if appointed by the Secretary of State under
section 5(8)(a) of that Act.

Director of the Scottish Agricultural Securities
Corporation p.l.c. nominated by a Minister of the
Crown or government department.

Distributor of Stamps appointed by the
Commissioners of Inland Revenue for the Stock
Exchange at Glasgow.

Registration Officer appointed under section 6(3) of
the Representation of the People Act 1949."

Other amendments

4.-(1) In the entry "Chairman of the Distinction and
Meritorious Service Committee for Northern Ireland" after the word
"Service" there shall be inserted the word "Awards".

(2) In the entry "Paid Chairman of a Health Board constituted under the National Health Service (Scotland) Act 1972" for "1972" there shall be substituted "1978".

(3) At the end of the entry "Chairman of the Management Committee of the Common Services Agency for the Scottish Health Service" there shall be added the words "constituted under the National Health Service (Scotland) Act 1978."

(4) For the entry "Chairman of the Post Office Users' National Council" there shall be substituted the following entry -

"Chairman of any of the Post Office Users' Councils established under section 14 of the Post Office Act 1969."

(5) In the entry "Director of ICL Public Limited Company nominated or appointed by a Minister of the Crown or government department" the words "or appointed" shall be omitted.

(6) At the end of the entry "Member of an Agricultural Marketing Board appointed under section 3 of the Agricultural Marketing Act (Northern Ireland) 1964" there shall be added the words "or Schedule 2 to the Agricultural Marketing (Northern Ireland) Order 1982."

(7) In the entry "Registration Officer appointed under section 8(2) of the Representation of the People Act 1983" after "8(2)" there shall be inserted "or (3)".

PART IV OF SCHEDULE 1

5. In the second column of the entry relating to Her Majesty's Commissioner of Lieutenancy in the City of London for the words "The Cities of London and Westminster" there shall be substituted the words "The constituency comprising the whole of the City of London".

RESTRICTED

STATUTORY INSTRUMENTS

1984 No.

PARLIAMENT

The House of Commons Disqualification Order 1984

<i>Made</i> - - - - -	1984
<i>Coming into Operation</i>	1984

At the Court at Windsor Castle, the day of 1984

Present,

The Queen's Most Excellent Majesty in Council

Whereas section 5 of the House of Commons Disqualification Act 1975(a) enables Her Majesty by Order in Council to amend Schedule 1 to that Act in accordance with a resolution of the House of Commons:

And whereas on 1984 it was resolved by the House of Commons that Schedule 1 to the Act of 1975 be amended:

Now, therefore, Her Majesty, in pursuance of the said section 5 and in accordance with the said resolution, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the House of Commons Disqualification Order 1984.
2. Schedule 1 to the House of Commons Disqualification Act 1975 (which specifies offices the holders of which are disqualified for membership of the House of Commons) shall have effect subject to the amendments specified in the Schedule to this Order.

Clerk of the Privy Council.

(a) 1975 c. 24

SCHEDULE

AMENDMENTS OF SCHEDULE 1 TO THE HOUSE OF COMMONS DISQUALIFICATION ACT 1975

PART II OF SCHEDULE 1

1. The following entry shall be omitted:—
“A Value Added Tax Tribunal.”

PART III OF SCHEDULE 1

Additional entries

2. There shall be inserted at the appropriate places:—
“Advocate Depute (not being the Solicitor General for Scotland) appointed by the Lord Advocate.
Chairman or Chief Executive of the Simplification of International Trade Procedures Board.
Controller of Audit appointed under section 97(4) of the Local Government (Scotland) Act 1973.
Controller of Audit appointed under paragraph 7(1) of Schedule 3 to the Local Government Finance Act 1982.
Director of Britoil p.l.c. nominated by a Minister of the Crown or government department.
President or Vice-President of Value Added Tax Tribunals or full-time chairman of value added tax tribunals.”

Entries omitted

3. The following entries shall be omitted:—
“Chairman of the Electricity Consumer Council.
Chairman of any of the National Boards constituted under the Nurses, Midwives and Health Visitors Act 1979, if appointed by the Secretary of State under section 5(8)(a) of that Act.
Director of the Scottish Agricultural Securities Corporation p.l.c. nominated by a Minister of the Crown or government department.
Distributor of Stamps appointed by the Commissioners of Inland Revenue for the Stock Exchange at Glasgow.
Registration Officer appointed under section 6(3) of the Representation of the People Act 1949.”

Other amendments

4.—(1) In the entry “Chairman of the Distinction and Meritorious Service Committee for Northern Ireland” after the word “Service” there shall be inserted the word “Awards”.

(2) In the entry “Paid Chairman of a Health Board constituted under the National Health Service (Scotland) Act 1972” for “1972” there shall be substituted “1978”.

(3) At the end of the entry “Chairman of the Management Committee of the Common Services Agency for the Scottish Health Service” there shall be added the words “constituted under the National Health Service (Scotland) Act 1978.”

(4) For the entry “Chairman of the Post Office Users’ National Council” there shall be substituted the following entry—

“Chairman of any of the Post Office Users’ Councils established under section 14 of the Post Office Act 1969.”

(5) In the entry " Director of ICL Public Limited Company nominated or appointed by a Minister of the Crown or government department " the words " or appointed " shall be omitted.

(6) At the end of the entry " Member of an Agricultural Marketing Board appointed under section 3 of the Agricultural Marketing Act (Northern Ireland) 1964 " there shall be added the words " or Schedule 2 to the Agricultural Marketing (Northern Ireland) Order 1982."

(7) In the entry " Registration Officer appointed under section 8(2) of the Representation of the People Act 1983 " after " 8(2) " there shall be inserted " or (3) ".

PART IV OF SCHEDULE 1

5. In the second column of the entry relating to Her Majesty's Commissioner of Lieutenancy in the City of London for the words " The Cities of London and Westminster " there shall be substituted the words " The constituency comprising the whole of the City of London ".

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the lists of offices which disqualify holders for membership of the House of Commons, and which are contained in Schedule 1 to the House of Commons Disqualification Act 1975.

16. Amend the entry: Director of ICL Public Limited Company nominated or appointed by a Minister of the Crown or government department

to read: Director of ICL Public Limited Company nominated by a Minister of the Crown or government department

Since 1981 the Department of Trade and Industry has not had the right to appoint a director though it retains the right to be consulted about appointments and to nominate candidates for consideration. At present there are two Departmental nominees on the Board.

Sponsored by the Department of Trade and Industry.

17. Amend the entry: Member of an Agricultural Marketing Board appointed under Section 3 of the Agricultural Marketing Act (Northern Ireland) 1964

to read: Member of an Agricultural Marketing Board appointed under Section 3 of the Agricultural Marketing Act (Northern Ireland) 1964 or Schedule 2 to the Agricultural Marketing (Northern Ireland) Order 1982

The office-holders are appointed by a Minister and are paid from producers funds. They should be seen to be politically impartial.

The amendment is necessary because the 1964 Act, which will eventually be replaced entirely by the 1982 Order, still applies to two of the Marketing Boards. Both the 1964 Act and the 1982 Order will continue to apply until certain transitional steps are completed.

There are no additional office-holders brought into Schedule I.

Sponsored by the Department of Agriculture for Northern Ireland.

18. Entry to be deleted: Registration Officer appointed under Section 6(3) of the Representation of the People Act 1949

19. Amend the entry: Registration Officer appointed under Section 8(2) of the Representation of the People Act 1983

to read: Registration Officer appointed under Section 8(2) or (3) of the Representation of the People Act 1983

The entry to be deleted covers electoral registration officers in Scotland. The 1949 Act has now been consolidated in the 1983 Act, and the single proposed entry covers electoral registration officers throughout Great Britain. The Chief Electoral Officer for Northern Ireland is appointed under separate legislation and is disqualified by virtue of an entry elsewhere in Part III of the Schedule.

DRAFT PQ

To ask the Minister for the Civil Service what arrangements are to be made to provide Members with information about the amendments contained in the resolution tabled today updating Schedule 1 of the House of Commons Disqualification Act 1975.

Draft answer

A detailed explanatory note is available from the Vote Office.



PT 7/13

PRIVY COUNCIL OFFICE
WHITEHALL, LONDON SW1A 2AT

7 March 1984

Dear Guy,

UPDATING OF SCHEDULE 1 TO THE HOUSE OF COMMONS DISQUALIFICATION
ACT 1975

You wrote to me on 21 February proposing an amending Order in April to the schedule of disqualifications from Membership of the House under the House of Commons Disqualification Act, 1975.

I agree that, prima facie, it is desirable to bring this schedule up to date in time for the European Assembly Elections in June, and, subject to the views of colleagues, I should be content to give the required drafting authority.

As regards the factual paper which Barney Hayhoe undertook last April to publish, I also agree that this might conveniently be published at the same time as the next updating.

I am, however, concerned to limit the risk that the publication of this paper will be taken as implying any Ministerial intention to stir this matter up. I would accordingly suggest that "publication" should be as discreet as possible; that the document should be referred to as a factual analysis of the existing provisions rather than as a "factual paper on the review of disqualification carried out in 1982", as referred to in your letter; and that we should, as necessary, disclaim any intention of proposing a general review. I am not aware of any widespread dissatisfaction with the present law, either inside or outside the House.

I am copying this to members of the Cabinet and to John Wakeham.

JOHN BIFFEN

Rt Hon Lord Gowrie
Management and Personnel Office
GOGGS

Parliament : Legislation A 11.

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