

EUROPEAN ASSEMBLY ELECTIONS BILL - A NOTE FOR SHADOW CABINET
(Prepared by David Howell and Douglas Hurd after consultation
with Mr Whitelaw)

The Direct Elections Bill has been now three days in Committee. Now that the House has decided on the system to be used, there are a number of options on the rest of the Bill and the timetable.

1. We keep to the revised Bill and present timetable.

Without much more time per week (or a guillotine), the Bill will not be law before May. If one day a week is allocated (not the case this coming week), the Committee stage itself will not finish before the end of March. If we get two days a week Royal Assent could be possible in June. In either case we miss the May/June deadline, and even October elections would mean a shortening of the 26 week period that Mr Rees assumes from Royal Assent to Polling Day.

In this case, while the Bill drags out its course, we continue to criticise the Government for not providing sufficient time by the week, and then wait for the Heads of Government to accept the inevitable (at their March summit) and fix a new date. That is more likely to be Spring 1979 than October 1978.

2. We shorten the period between Royal Assent and Polling Day

An amendment to the Bill. We table, or urge the Government to table, an amendment instructing the Boundary Commission to produce its work immediately after Royal Assent. There is no way any such amendment could be effective before Royal Assent but, knowing that much of the work will in fact be done during the passage of the Bill, we could amend Schedule two ('As soon as may be after the passing of this Act') to read ('Within one day (one week, etc.) after the passing of this Act'), and so reduce this gap to the shortest extent possible.

We Back the Lawson Amendment. This amendment divides Great Britain into 54 constituencies electing 78 members (i.e. a number of constituencies elected more than one Euro-member), based on the counties in England and Wales and the regions in Scotland.

The advantages are speed and simplicity: the electoral registers are based on such local governmental areas and counties are to some extent familiar as natural divisions. The main disadvantage is the significant difference in size between constituencies, the electorate per Euro-member varying from 187,224 electors (Highlands and Islands) to 742,339 (Surrey).

We Back the Roper Amendment. This groups together present Parliamentary constituencies to form Euro-constituencies. This has attractions in terms of speed - no Boundary Commission procedure is required at all - and is less crude than the Lawson scheme. Constituencies are quite fairly grouped and Central Office are not too unhappy with the arrangement. But like the Lawson scheme, the Roper amendment is open to the serious objection that Parliament is doing for itself work that is properly the duty of the Boundary Commission - something it has never done hitherto.

A Separate Enabling Bill. We urge the Government to introduce a short one-clause Bill empowering the Boundary Commission to get to work, and pledge full co-operation on its timetable. It becomes law by mid-February and the Boundary Commission's recommendations then come to Parliament within a maximum of 9 weeks. If work has been done already, this period will be even shorter. Recommended constituencies can then be either included in a schedule to the main Bill for approval (by government amendments at Report stage or later in the Lords) or be ready waiting for approval by Parliament immediately after Royal Assent, thus almost halving Mr Rees' 26 week period.

Some Form of Commons' Motion. We press the Government to accept the will of the House on the system and to table a motion or resolution, quite separate from the Bill, authorising the Boundary Commission to proceed. The results of its work are then available as under the Lawson/Roper amendments.

If this is not possible as a Government motion, then it conceivably could be a motion for resolution by the Committee of the whole House as a matter arising under the Bill, which could then be reported immediately to the House and become an obligation upon the Government.

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