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CABINET

HOUSE OF COMMONS PROCEDURE

Memorandum by the Chancellor of the Duchy of Lancaster

1. When the Cabinet considered my memorandum (C(80) 41) they decided that a debate on the outstanding recommendations of the Procedure Committee's report should not be held before the summer Recess. This was on the basis that the Opposition spokesman on procedural matters (The Rt Hon Merlyn Rees, MP) had asked that the debate be deferred until October so that the Opposition could have more time to consider the recommendations. There was heavy pressure at business questions on 17 July (Hansard, cols. 1757 following), not least from our side of the House (including an intervention from the chairman of the 1922 Committee), that the Government should implement their pledge to find time for a debate before the Recess. The Leader of the Opposition (The Rt Hon James Callaghan, MP) claimed that the Opposition had objected only to my proposal to hold the debate on a Friday. We have now had a further letter from the official Opposition in which they ask for a general debate on the Procedure Committee's recommendations before the Recess and an opportunity to take decisions on them, which we have promised; on the timing they suggest that the vote should take place in the Parliamentary spill-over in October.

2. I am clear that we must have a debate before the Recess; indeed, in the light of the events of Tuesday night it is virtually unavoidable and the one thing we must prevent is a further Parliamentary row on this matter. There are two alternatives:

- i. A debate with votes before the Recess.
- ii. A debate before the Recess with votes in the spill-over.

From the Government point of view the advantage lies with option i, but the Opposition Front Bench will prefer ii. If ii. is favoured the debate could be on the adjournment or on a take-note motion. If on the adjournment, the debate would have the disadvantage of covering all outstanding procedural matters, including, for example, the establishment of new sub-committees for the departmental select committees. If on a take-note motion, this would enable us to put greater boundaries on the scope of the debate, but the motion itself would be liable to amendment.

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3. If option i. is preferred a general debate (excluding select committees) would be followed by votes on resolutions and amendments. On balance I prefer the first option, partly because it would dispose of the matter in one debate rather than two, but primarily because I think it increases the chances of our persuading the House to reject those recommendations of the Procedure Committee which would seriously hamper the Government's control of business and its ability to secure the passage of legislation.

4. I therefore invite my colleagues:

- a. to agree that I should announce that there will be a debate, before the Recess, on House of Commons procedure;
- b. to decide on the form of the debate;
- c. to give further consideration to my memorandum C(80) 41 so that I may have the general guidance of the Cabinet for the line to be taken in the debate, whatever form it takes.

N St J S

Privy Council Office

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