CABINET.

TRADE DISPUTES AND TRADE UNIONS ACT REPEAL BILL.

MEMORANDUM BY THE LORD CHANCELLOR.

I think that I should inform the Cabinet of the arrangements that have been made with regard to the contents of the Bill to repeal the Trades Disputes and Trade Unions Act, 1927, and as to the date of its introduction.

2. Contents of the Bill.—The Bill is a simple and straightforward repeal of the Act of 1927, leaving the law, therefore, in exactly the same place as it was before the Act of 1927 was passed. This was the Bill which I was authorised by the Cabinet in 1930 to bring in and it was only abandoned for the more complex Bill we did in fact bring in, because the Liberal Party would not agree to support the Bill in this form. I feel quite satisfied in my own mind that straightforward repeal is much the best solution because we shall get into far greater difficulties if we try to prepare a new Bill on the lines of the Bill of 1930. When the Cabinet considered the Legislative Programme at their meeting on the 7th August (C.M. 45) 15th Conclusions, Minute 5, sub-paragraph (k) their general view was in favour of complete repeal of the Act of 1927.

The Bill will contain certain transitional provisions which are necessary by reason of the lapse of time since the passage of the 1927 Act. I propose that it should be for the Executive Committee of the Union to approve the form of the new Rules that would be required subject to the approval of the Registrar. I would point out that on the passage of this Bill contracting out as opposed to contracting in automatically becomes the law, and the only point for the Executive Committee to consider is the precise form of Rules which will follow upon this change. The Registrar will have model rules—and departure from these model rules is only allowed within narrow limits. It therefore does not seem worth while to put the Unions to the trouble and expense of summoning special General Meetings. Any decision which the Executive Committee make can be reviewed and, if necessary, varied by the general meeting of the Union whenever it is summoned.

3. Date of Introduction of the Bill.—It has been provisionally agreed by the Legislation Committee that this Bill should be introduced very early in the Session, but as the passage of the Bill will no doubt give rise to considerable political controversy I think that this decision should be formally brought to the notice of the Cabinet.

4. Responsibility for the Bill.—The main responsibility for the Bill in the House of Commons will undoubtedly rest with the Attorney-General. It will probably be thought desirable that some Minister of Cabinet rank in the House of Commons should be in general charge of the Bill in that House. There is also the question as to whether there should not be some sponsoring Department. When I was Attorney-General in the last Labour Government I had no Department to assist me and was left completely to my own resources. It might be well on this occasion to entrust some Department, whether the Home Office or the Ministry of Labour, with the duty of preparing briefs and getting the facts together for the use of the Attorney-General in the House of Commons.

J.

House of Lords, S.W. 1,
10th September, 1945.