



PRIME MINISTER

Your Private Secretary wrote on 31 ^{on post 7} January 1983 confirming your agreement to the proposal that the safety responsibilities exercised by this Department's Gas Standards Branch should be transferred to the Health and Safety Executive. At that stage it was envisaged that the Health and Safety Commission and its Executive would report to me on the discharge of these responsibilities.

Since then officials have been working on the mechanics of the proposed transfer. Because of the complexities there has been some slippage in the timetable but we are now ready to put a transfer in place.

The work on the details has highlighted grey areas in the proposed arrangements on account of the separate responsibilities of the Secretaries of State for Energy and Employment. At its simplest it concerns my responsibility for the Gas Regulations and the Employment responsibility for Health and Safety at Work which impinges on areas of gas safety.

I therefore propose, and Tom King agrees, that the responsibilities for gas safety which currently lie with the Secretary of State for Energy should be transferred to the Secretary of State for Employment. Essentially this would mean transferring the power to make regulations under S 31 of the Gas Act 1972 and the associated powers under section 42 and 43 on penalties and prosecutions, and the enforcement of the Gas Safety Regulations 1972 and the Right of Entry Regulations 1983. The Secretary of State for Employment would also become responsible for the making of gas appliance safety orders under the Energy Conservation Act 1981. The legislation is framed in the general terms of 'the Secretary of State', and no changes in the legislation are required to effect a transfer. A Ministerial transfer would not only avoid blurred areas of responsibility which would not be resolved by an executive transfer, but would also avoid problems associated with the interface between responsibility for policy and responsibility for resources. More important it would be another step towards achieving the objective of a co-ordinated approach to health and safety matters. We believe that it would be welcomed by the public. Ministers in both Departments take the view that, subject to your agreement, the transfer should be effected at an early date. I have in mind 1 January. It would be administratively convenient yet allow sufficient time to consult BGC and make



a public announcement by way of an arranged PQ. It would be helpful therefore if you and colleagues could give your early agreement to the proposal.

I am copying this to the Lord Chancellor, the Secretary of State for the Home Department, the Secretary of State for Employment and Sir Robert Armstrong.

A handwritten signature in blue ink, appearing to read 'P. Walker'.

PETER WALKER

28 November 1983

29 NOV 1983



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