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## **Enterprise and Regulatory Reform Bill**

**“My Government will introduce legislation to reform competition law to promote enterprise and fair markets.**

**“My Government will introduce legislation to establish a Green Investment Bank.**

**“Legislation will be introduced to reduce burdens on business by repealing unnecessary legislation and to limit state inspection of businesses.”**

### **The purpose of the Bill is to:**

- The Bill would create the right conditions for economic recovery by strengthening the business environment, reducing regulatory burdens and improving business and consumer confidence.

#### Competition

- Improve the effectiveness and efficiency of competition enforcement and the competitiveness of markets for the benefit of consumers by strengthening the regime and improving the speed and predictability for business.

#### Green Investment Bank

- Provide new powers for the Bank to operate.

#### Workplace dispute resolution

- Overhaul of the employment tribunal system and transformation of the dispute resolution landscape.

#### Directors' pay

- Strengthen the framework for setting directors' pay.

#### Regulatory Reform

- Reduce inspection burdens on business by extending the Primary Authority scheme, and strengthen the legal framework for sunset clauses on regulation.

#### Repeals

- Remove unnecessary legislation that will help save businesses time and money.

### **The main benefits of the Bill would be:**

#### Competition

- Providing a single, strong voice for competition which can provide leadership for the sector regulators on competition enforcement and a single authoritative voice for the UK internationally.
- Providing a one-stop shop for business to help them understand and comply with competition law, and greater certainty for business to take investment decisions from faster and clearer timeframes and more robust decisions.

### Green Investment Bank

- Addressing the long-standing problem of under-investment by accelerating private sector investment in the transition to a green economy.
- Working to a 'double bottom line' it would help achieve significant green impact and make financial returns.

### Workplace dispute resolution

- Encouraging the earlier resolution of disputes.
- Delivering a more efficient and streamlined employment tribunal system for all users.
- Giving employers more confidence to hire new staff, supporting growth.

### Directors' pay

- Strengthening shareholder power so they can hold companies to account.

### Regulatory reform

- Removing barriers, improving the quality and consistency enforcement and inspections for businesses.
- Simplifying the regulatory system and giving confidence to business that they will not be held back by outdated and unnecessary legislation.

### Repeals

- Removing legislation that would help save business time and money.

## **The main elements of the Bill are:**

### Competition

- Creating a single Competition and Markets Authority (CMA) by bringing together the Competition Commission (CC) and the competition functions of the Office of Fair Trading (OFT).

### Green Investment Bank

- Enshrining the 'green' purpose of the bank, providing powers for it to operate including funding and ensuring its operational independence from Government.

### Workplace dispute resolution

- Providing options outside the employment tribunal process by encouraging 'early conciliation' where all claimants would lodge details of their claim with Acas giving parties the opportunity to engage in conciliation and renaming compromise agreements as 'Settlement' Agreements to more accurately reflect their function and encourage greater use.
- Improving the tribunal system by increasing flexibility and encouraging employer compliance

### Directors' pay

- Putting forward specific measures following the Government response to the consultation.

- Repealing section 439(5) of the Companies Act 2006 making it possible for directors' remuneration to be contingent on the outcome of the shareholder vote on the directors' remuneration report.

#### Regulatory reform

- Extending the Primary Authority scheme to more businesses for access to reliable and robust advice.

#### Repeals

- A number of pieces of primary legislation would be presented for repeal.

#### **Related documents:**

#### Competition

- The response to the consultation on 'A Competition Regime for Growth' <http://www.bis.gov.uk/Consultations/competition-regime-for-growth?cat=closedwithresponse>

#### Green Investment Bank

- The Green Investment Bank: Policy and Finance Context <http://www.bis.gov.uk/assets/biscore/business-sectors/docs/g/12-553-green-investment-bank-policy-and-finance-context.pdf>

#### Regulatory reform

- Government Response to the Consultation on Transforming Regulatory Enforcement: <http://www.bis.gov.uk/assets/biscore/better-regulation/docs/t/11-1408-transforming-regulatory-enforcement-government-response.pdf>
- Primary Authority Guidance: <http://www.lbro.org.uk/docs/pa-guidance.pdf>

#### **Existing legislation in this area is:**

- Regulatory Enforcement and Sanctions Act 2008
- Companies Act 2006
- The Enterprise Act 2002
- Employment Act 2002 (Dispute Resolution) Regulations 2004
- The Competition Act 1998
- Employment Tribunals Act 1996
- Employment Rights Act 1996
- Employment Tribunals Act 1996 and Employment Rights Act 1996 (secondary legislation changes in 2012)

**Devolution:**

The Bill would apply to the whole of the UK. Specifically, employment measures cover Great Britain (E,S&W) with the exception of the Compromise Agreements name change which is UK wide (inc. Northern Ireland). Regulatory reform amendments extend to England, Wales, Scotland (only in relation to reserved matters) and Northern Ireland (not in respect of transferred matters).

Press Office  
Department for Business, Innovation and Skills  
1 Victoria Street,  
London,  
SW1H 0ET  
Tel: 020 7035 5945

## **Banking Reform Bill**

**“Measures will be brought forward to further strengthen regulation of the financial services sector and implement the recommendations of the Independent Commission on Banking.”**

### **The purpose of the Bill is to:**

- The Bill would foster financial stability and a more resilient banking sector. The retail ring-fence would separate vital banking services on which households and SMEs depend from wholesale and investment banking activities. This would insulate these vital services from global financial shocks and make banks easier to resolve without taxpayer support.

### **The main benefits of the Bill would be to:**

- Make banking safer and more resilient.
- Make it easier and less costly to resolve banks that get into trouble.
- Curtail the implicit government guarantee of the banking sector.

### **The main elements of the Bill are:**

#### **Ring fence**

- Giving the Treasury powers to make provision for ring-fencing by requiring that essential banking services are only provided in a ring-fenced bank, and defining services that a ring-fenced bank may not provide.
- Requiring the Prudential Regulatory Authority to ensure that a ring-fenced bank in a group is, as far as possible, independent of other entities in the group.

#### **Depositor Preference**

- Providing that depositors are treated as preferred creditors, paid before unsecured creditors on insolvency, and so reducing the exposure of the Financial Services Compensation Scheme and the taxpayer in insolvency.
- Defining the subset of preferred depositors.

### **Related documents:**

- ICB Final Report (September 2011):  
<http://hm-treasury.gov.uk/d/ICB-Final-Report.pdf>
- Government Response to the ICB Final Report (December 2011):  
[http://cdn.hm-treasury.gov.uk/govt\\_response\\_to\\_icb\\_191211.pdf](http://cdn.hm-treasury.gov.uk/govt_response_to_icb_191211.pdf)

**Existing legislation in this area is:**

- Banking Act 2009
- Financial Services and Markets Act 2000
- Building Societies Act 1986

**Devolution:**

The Bill would apply to the whole of the UK.

Press Office  
HM Treasury  
1 Horse Guards Road  
London SW1A 2HQ  
020 7270 5188



## **Groceries Code Adjudicator Bill**

**“My Government will introduce legislation to establish an independent adjudicator to ensure supermarkets deal fairly and lawfully with suppliers.”**

### **The purpose of the Bill is to:**

- The Bill would create a Groceries Code Adjudicator to uphold the Groceries Code and ensure suppliers are treated fairly and lawfully, supporting small businesses across the country.

### **The main benefits of the Bill would be:**

- Protecting suppliers by ensuring that large retailers treat them fairly and lawfully.
- Breaking down the climate of fear amongst suppliers and farmers by ensuring they can raise complaints confidentially with the Adjudicator.
- Ensuring that large retailers can be held to account if they break the Code.
- Supporting investment and innovation in the supply chain by stopping supermarkets passing on excessive risk and costs to suppliers.
- Acting in the long-term interest of the consumer.

### **The main elements of the Bill are:**

- Creating an Adjudicator, as set out in the draft Bill. The Adjudicator's role would be to ensure adherence to the Groceries Code. He or she would do this by arbitrating disputes between retailers and suppliers, investigating anonymous complaints and taking sanctions against retailers who break the rules.
- The Groceries Code which the Adjudicator would be responsible for upholding was put in place by the Competition Commission. It obliges large retailers (those with a groceries turnover in the UK of more than £1 billion) to: deal fairly and lawfully with their suppliers; not vary supply agreements retrospectively, except in circumstances beyond the retailer's control which are clearly set out in the supply agreement; and pay suppliers within a reasonable time.
- In addition, the Groceries Code limits large retailers' power to: make suppliers change their supply chain procedures or pay marketing costs and compensation for wastage; make suppliers obtain goods or services from third parties who pay the retailer for that arrangement; make suppliers pay them for stocking their products or pay for promotions; make suppliers pay for resolving customer complaints; and “de-list” suppliers – in other words, to stop dealing with a supplier or make significant reductions to the volume of purchases from a supplier.

**Related documents:**

- The draft bill and accompanying documents:  
<http://www.bis.gov.uk/policies/business-law/competition-matters/market-studies/cc-market-investigation-on-the-uk-supply-of-groceries>
- The Groceries Code Adjudicator - Commons Library Standard Note  
<http://www.parliament.uk/briefing-papers/SN06124>
- The Government response to the consultation on the Competition Commission's recommendation to establish an adjudicator was published on 3 August 2010 <http://www.bis.gov.uk/policies/business-law/competition-matters/market-studies/cc-market-investigation-on-the-uk-supply-of-groceries>.

**Existing legislation in this area is:**

- The Groceries Code was created by Order of the Competition Commission in the Groceries (Supply Chain Practices) Market Investigation Order 2009. It is legally binding on retailers.

**Devolution:**

The Bill would apply to the whole of the UK.

Press Office  
Department for Business, Innovation and Skills  
1 Victoria Street,  
London,  
SW1H 0ET  
Tel: 020 7035 5945

## **Small Donations Bill**

**“A Bill will be introduced to reduce burdens on charities, enabling them to claim additional payments on small donations.”**

### **The purpose of the Bill is to:**

- The Bill would help the charitable sector by boosting the income of charities, particularly small charities, and reducing their administrative burdens as they would not need to collect Gift Aid declarations on all their small donations.

### **The main benefits of the Bill would be:**

- Increasing the income of charities, particularly small charities, that receive small donations from the public.
- Simplifying the administration for charities to obtain top-up payments on small donations.

### **The main elements of the Bill are:**

- Providing a top-up payment similar to Gift Aid to charities that receive small cash donations of £20 or less, enabling them to claim 25p for every £1 collected in the UK, on up to £5,000 of small donations.
- Ensuring that the scheme is fair so that small local charities carrying out charitable activities in local communities would be entitled to similar levels of top-up payments as larger national charities undertaking similar activities.
- Protecting the scheme from excessive claims by limiting payments to charities that are connected with one another and which operate broadly as a single entity.
- Protecting the scheme against fraud by requiring charities to have a three-year track record of successfully claiming Gift Aid and to continue making Gift Aid claims to benefit from the scheme.

### **Related documents:**

- Consultation document *The Gift Aid Small Donations Scheme*:  
[http://customs.hmrc.gov.uk/channelsPortalWebApp/channelsPortalWebApp.portal?\\_nfpb=true&\\_pageLabel=pageLibrary\\_ConsultationDocuments&propertyType=document&columns=1&id=HMCE\\_PROD1\\_031993](http://customs.hmrc.gov.uk/channelsPortalWebApp/channelsPortalWebApp.portal?_nfpb=true&_pageLabel=pageLibrary_ConsultationDocuments&propertyType=document&columns=1&id=HMCE_PROD1_031993)

### **Existing legislation in this area is:**

- None.

**Devolution:**

This bill extends to the whole of the UK. A legislative consent motion is required for Northern Ireland only.

Press Office  
HM Revenue and Customs  
100 Parliament Street  
London SW1A 2BQ  
Tel: 020 7147 2318

## **Energy Bill**

**“My Government will propose reform of the electricity market to deliver secure, clean and affordable electricity.”**

### **The purpose of the Bill is to:**

- The Bill would reform the electricity market to enable large-scale investment in low-carbon generation capacity in the UK and deliver security of supply, in a cost-effective way.

### **The main benefits of the Bill would be:**

- Reforming the electricity market would put in place the institutional and market arrangements to ensure secure, affordable and low-carbon electricity. The current market arrangements would not allow us to meet the challenges or attract the £110 billion investment we need in the next decade.

### **The main elements of the Bill are:**

- Introducing a system of low-carbon generation revenue support (a feed-in tariff with Contracts for Difference (FiT-CfD)). The FiT-CfD would provide more certainty of revenues for low-carbon generation and make investment in clean energy more attractive.
- Introducing an Emissions Performance Standard (EPS) to provide a regulatory backstop to prevent construction of new coal plants which emit more than 450g/kWh i.e. the most carbon-intensive form of electricity generation.
- Introducing a capacity mechanism to ensure security of supply, ensuring there is sufficient reliable and diverse capacity to meet demand.
- Creating an independent, industry financed statutory regulator, the Office for Nuclear Regulation.
- Enabling the sale of a Ministry of Defence asset, the Government Pipeline and Storage System (GPSS).
- Introducing a Strategy and Policy Statement which would set out the Government’s strategic priorities for the energy sector in Great Britain, describe the roles and responsibilities of bodies who implement or are affected by GB energy policy and describe policy outcomes which are to be achieved by the regulator and the Secretary of State when regulating the sector.

**Related documents:**

- Electricity Market Reform White Paper (2011):  
[http://www.decc.gov.uk/en/content/cms/legislation/white\\_papers/emr\\_wp\\_2011/emr\\_wp\\_2011.aspx](http://www.decc.gov.uk/en/content/cms/legislation/white_papers/emr_wp_2011/emr_wp_2011.aspx)
- Technical Update to the EMR White Paper (2011):  
[http://www.decc.gov.uk/en/content/cms/legislation/white\\_papers/emr\\_wp\\_2011/tech\\_update/tech\\_update.aspx](http://www.decc.gov.uk/en/content/cms/legislation/white_papers/emr_wp_2011/tech_update/tech_update.aspx)

**Existing legislation in this area is:**

- Energy Act 2011
- Energy Act 2010
- Energy Act 2008
- Climate Change Act 2008

**Devolution:**

All provisions in the Bill extend to England and Wales, and the majority would also extend to Scotland and Northern Ireland.

Press Office  
Department for Energy and Climate Change  
3 Whitehall Place  
London, SW1A, 2AW  
Tel: 030 0068 5225

## **Draft Water Bill**

**“A draft Bill will be published to reform the water industry in England and Wales.”**

### **The purpose of the draft Bill is to:**

- The Bill would allow businesses and public sector bodies to obtain more competitive prices and improve their efficiency, as set out in the Water White Paper.

### **The main benefits of the Bill would be:**

- Allowing every business and public sector body to switch its water and sewerage supplier.
- Increasing opportunities for new entrants to enter the water and sewerage market and create an environment in which water companies respond better to the needs of the customers.
- Stimulating the market for water resources potentially unlocking new sources of water supply and reducing the impacts of future drought.
- Encouraging water companies to think differently about how to address future resource challenges and focus on their customers' needs.

### **The main elements of the draft Bill are:**

- Implementing our package of water and sewerage market reforms.
- Improving Ofwat's ability to regulate water companies as competition develops in the market.
- Allowing the scope of the environmental permitting regulations to be extended from prevention of pollution to include abstraction and impounding of water. This extension will also cover flood defence and fish pass consents.
- Making minor changes to existing legislation to reduce and simplify regulatory and administrative burdens.

### **Related documents:**

- Water White Paper  
<http://www.official-documents.gov.uk/document/cm82/8230/8230.pdf>

### **Existing legislation in this area is:**

- Water Industry Act 1991.

**Devolution:**

The Bill would mainly apply to England and Wales, but would also allow for the creation of a joint water and sewerage services retail market with Scotland.

Press Office  
Department for Environment, Food and Rural Affairs  
Nobel House  
Smith Square  
London SW1P 3JR  
Tel: 020 7238 5391



## **Pensions Bill**

**“My Government will bring forward measures to modernise the pension system and reform the state pension, creating a fair, simple and sustainable foundation for private saving.”**

### **The purpose of the Bill is to:**

- The Bill would reform the state pensions system, creating a fair, simple and sustainable foundation for private saving.

### **The main benefits of the Bill would be:**

- Creating an affordable and sustainable pensions system for future generations.
- Enabling individuals to take responsibility for meeting their retirement aspirations in the context of increased longevity.

### **The main elements of the Bill are:**

- Replacing the current, complex state pension system with a new single tier pension, as set out in the Budget, set above the level of the basic pension credit means test (currently estimated to be set at around £140 per week), so that those of working age can save for their retirement with confidence.
- Bringing forward the increase in the state pension age to 67 between 2026 and 2028.
- Committing to ensuring that the state pension age is increased in future to take into account increases in longevity.

### **Related documents:**

- Consultation document – *A state pension for the 21<sup>st</sup> century*:  
<http://www.dwp.gov.uk/docs/state-pension-21st-century.pdf>
- *A state pension for the 21<sup>st</sup> century* - summary of responses to consultation:  
<http://www.dwp.gov.uk/docs/state-pension-21st-century-response.pdf>

### **Existing legislation in this area is:**

- Pensions Act 2011
- Pensions Act 2008
- Pensions Act 2007

**Devolution:**

The Bill would apply to England, Scotland and Wales only.

Press Office  
Department for Work and Pensions  
Caxton House  
Tothill Street  
London SW1H 9NA  
Tel: 020 3267 5144

## **Public Service Pensions Bill**

**“Legislation will be introduced to reform public service pensions in line with the recommendations of the independent commission on public service pensions.”**

### **The purpose of the Bill is to:**

- The Bill would implement changes to public service pension provision, in line with the Final Proposed Agreements reached with trades unions for the three largest schemes in March. It would establish a common framework across public service pension schemes. The changes would also ensure provision is sustainable and that costs and benefits between employers, workers and other taxpayers are balanced more fairly.

### **The main benefits of the Bill would be:**

- Ensuring public service workers receive a good pension on retirement, with those on low and middle incomes who retire after a full career receiving a pension at least as good as they do now.
- Protecting those ten years from their Normal Pension Age on 01 April from further changes.
- Providing a fair balance of cost and benefits between public service workers and other taxpayers.
- Ensuring – as people live longer than ever before– that public service pensions are affordable and sustainable, with costs shared more fairly.
- Outlining a clear common legal framework and scheme governance structure.

### **The main elements of the Bill are:**

- Beginning implementation of the Final Proposed Agreements reached with trades unions for the three largest schemes, based on the recommendations of the Independent Public Service Pensions Commission.
- Introducing a fairer basis for calculating public service pensions, based on the average earnings of a member over their career rather than their salary at, or near to, retirement.
- Delivering the Government’s commitment that those closest to retirement will not see any change in when they can retire, or any decrease in the amount of pension they receive at their Normal Retirement Age.
- Asking people to retire later - with pension benefits normally paid at State Pension Age (earlier for members of the police, armed forces and firefighters’

schemes). Nobody will be made to work longer, but a fair adjustment will be made to their pension if they chose to retire earlier or later.

- Introducing cost controls so that future unforeseen changes in the cost of pensions are shared by members and employers.
- Introducing more commonality to the powers and processes across public service pension schemes.

**Related documents:**

- Command Paper – *Public Service Pensions: good pensions that last*  
[http://www.hm-treasury.gov.uk/d/pensions\\_publicservice\\_021111.pdf](http://www.hm-treasury.gov.uk/d/pensions_publicservice_021111.pdf)

**Existing legislation in this area is:**

- Fire and Rescue Services Act 2004
- Armed Forces (Pensions and Compensation) Act 2004
- Judicial Pensions and Retirement Act 1993
- Superannuation Act 1972
- Police Pensions Act 1976

**Devolution:**

The Bill will leave the Devolved Administrations' competence for pensions and delegations of powers to make regulations unchanged.

Press Office  
HM Treasury  
1 Horse Guards Road  
London SW1A 2HQ  
Tel: 020 7270 5238

## **Draft Local Audit Bill**

**“A draft Bill will be published setting out measures to close the Audit Commission and establish new arrangements for the audit of local public bodies.”**

### **The purpose of the draft Bill is to:**

- The draft Bill would abolish the Audit Commission and set out the new regulatory framework for the audit of local public bodies.

### **The main benefits of the draft Bill would be:**

- Making significant savings to the public purse.
- Giving local bodies freedom to manage their own audit arrangements.
- Increasing local accountability and transparency.
- Aligning the regulatory regime for audit in the private and public sectors.

### **The main elements of the draft Bill are:**

- Abolishing the Audit Commission.
- Requiring local bodies to appoint their own auditors on the advice of an independent auditor panel.
- Setting up a new regulatory regime for local public audit, more closely aligned with the regulatory framework for audit in the private sector, with the Financial Reporting Council as the overall regulator.
- Transferring of responsibility for developing and publishing the Code of Audit Practice for local public audit to the National Audit Office (subject to Parliamentary approval).
- Transferring the Audit Commission’s data matching powers to another body (which Department this will be is yet to be confirmed).
- Continuing the power for the Secretary of State to commission an inspection of a ‘best value’ local authority where there are significant concerns about its performance.

### **Related documents:**

- Future of Local Audit Consultation document:  
<http://www.communities.gov.uk/publications/localgovernment/localpublicauditconsult>

- Government response to the Future of Local Audit consultation:  
<http://www.communities.gov.uk/publications/localgovernment/localauditgovresponse>

**Existing legislation in this area is:**

- Local Government Act 1999
- Audit Commission Act 1998

**Devolution:**

This Bill applies to England only.

Press Office  
Department for Communities and Local Government  
Eland House  
Bressenden Place  
London SW1E 5DU  
Tel: 030 3444 1201

## **Children and Families Bill**

**“My Government will propose measures to improve provision for disabled children and children with special educational needs. New arrangements will be proposed to support children involved in family law cases, reform court processes for children in care and strengthen the role of the Children’s Commissioner.**

**“Measures will be proposed to make parental leave more flexible so both parents may share parenting responsibilities and balance work and family commitments.”**

### **The purpose of the Bill is to:**

- The Bill would break down barriers stopping parents and carers getting the support they need – making it easier for parents to share caring responsibilities; giving families more choice and control over specialist special educational needs care; and supporting the most vulnerable children, including those in care or whose parents have separated.

### **The main benefits of the Bill would be:**

- Cutting red tape and delays in giving early specialist support for children and young people with Special Educational Needs (SEN) and/or disabilities – the biggest reforms for 30 years.
- Cutting the time ethnic minority children wait to be adopted.
- Reforming the family justice system to speed up care proceedings.
- Giving parents access to flexible parental leave.
- Strengthening the law so more children have a relationship with both parents, if families break up – if that is in their best interests.

### **The main elements of the Bill are:**

#### **SEN**

- Replacing SEN statements and Learning Difficulty Assessments (for 16-25 year olds) with a single, simpler 0-25 assessment process and Education, Health and Care Plan from 2014.
- Providing statutory protections comparable to those currently associated with a statement of SEN to up to 25 in further education – instead of being cut off at 16.
- Requiring that local authorities and health services jointly plan and commission the services that children, young people and families need.
- Giving parents or young people the right to a personal budget for their support.

### Adoption

- Stopping local authorities delaying an adoption to find the perfect match if there are suitable adopters available. The ethnicity of a child and prospective adopters will come second, in most cases, to the speed of placing a child in a permanent home.

### Family Law

- Creating a time limit of six months by which care cases must be completed.
- Making it explicit that case management decisions should be made only after impacts on the child, their needs and timetable have been considered.
- Focussing the court on those issues which are essential to deciding whether to make a care order.
- Getting rid of unnecessary processes in family proceedings by removing the requirement for interim care and supervision orders to be renewed every month by the judge and instead allowing the judge to set the length and renewal requirements of interim orders for a period which he or she considers appropriate, up to the expected time limit.
- Requiring courts to have regard to the impact of delay on the child when commissioning expert evidence and whether the court can obtain information from parties already involved.
- Strengthening the law to ensure that, where it is safe, and in the child's best interests, children have a relationship with both their parents after family separation. The Government will consult on legal options shortly.

### Flexible Parental Leave

- Legislating to give parents access to flexible parental leave; so that where they want to, mothers and fathers can share caring responsibilities in a way which best fits their needs.

### Office of the Children's Commissioner

- Strengthening the role and impact of the Office of the Children's Commissioner. It will have more powers to promote and protect children's rights and take on functions carried out by the Children's Rights Director, which is currently part of Ofsted. It will have more independence from ministers and the power to carry out assessments of the impact of policies and legislation on children.

### **Related documents:**

- March 2012: Action Plan for Adoption published:  
<http://www.education.gov.uk/inthenews/inthenews/a00205135/action-plan-sets-out-radical-overhaul-of-adoption-system>



- February 2012: Government response to the independent Family Justice Review: <http://www.justice.gov.uk/publications/policy/moj/family-justice-review-response>. The final report of the Family Justice Review was published in November 2011: <http://www.justice.gov.uk/downloads/publications/moj/2011/family-justice-review-final-report.pdf>
- May 2011: consultation on *Modern Workplaces* which ran from 16<sup>th</sup> May to 8<sup>th</sup> August 2011: <http://www.bis.gov.uk/modernworkplaces>. The consultation on implementing the recommendations of Imelda Walsh's Independent Review - 'Amending and extending the right to request flexible working to parents of older children', 2008 and Government response: <http://www.berr.gov.uk/consultations/archived/index.html>
- March 2011: Green Paper *Support and Aspiration* published <http://www.education.gov.uk/inthenews/inthenews/a0075344/government-proposes-biggest-reforms-to-special-educational-needs-in-30-years>
- December 2010: independent review of the Office of the Children's Commissioner published: <http://www.education.gov.uk/inthenews/inthenews/a0069882/review-of-the-childrens-commissioner-for-england>

### **Existing legislation in this area is:**

#### SEN

- Learning and Skills Act 2000
- Education Act 1996

#### Adoption

- Primary legislation and statutory guidance cover this issue. Section 1(2) of the Adoption and Children Act 2002 says that '*The paramount consideration of the court or adoption agency must be the child's welfare, throughout his life.*' Alongside this section 1(3) provides that '*The court or adoption agency must at all times bear in mind that, in general, any delay in coming to the decision [relating to the adoption of a child] is likely to prejudice the child's welfare.*' Section 1(5) provides that '*In placing the child for adoption, the adoption agency must give due consideration to the child's religious persuasion, racial origin and cultural and linguistic.*'

#### Family Law

- Adoption and Children Act 2002
- Children Act 1989
- Crime, Communications and Courts Bill (Reference to the Single Family Court)

### Flexible Parental Leave

- Amendments to Maternity , Paternity and Parental leave were made by the Work and Families Act in 2006
- Paternity leave was introduced by the employment Act 2002. Since April 2003, fathers have been entitled to take up two weeks paid paternity leave.
- Maternity and Parental Leave Regulations 1999.
- Employment Rights Act 1996
- EC Parental Leave Directive 1996

### Children's Commissioner

- The Office for Standards in Education, Children's Services and Skills (Children's Rights Director) Regulations 2007.
- Education and Inspections Act 2006 – transferred the post of the Children's Rights Director to Ofsted (CRD originally established under the Care Standards Act 2000).
- Children Act 2004 – established the current Office of the Children's Commissioner.

### **Devolution:**

- Flexible Parental leave will apply to the whole of Great Britain.
- Flexible Working will apply to England, Wales and Scotland – but is devolved to Northern Ireland.
- Private and Public Family law provisions will apply to England and Wales.
- SEN will apply to England.
- Adoption provisions will apply to England. The Government will discuss with the Welsh ministers whether it will be extended to Wales.
- Office of the Children's Commissioner reforms apply primarily to England.

Press Office  
Department for Education  
Sanctuary Buildings  
Great Smith Street  
London SW1P 3BT  
Tel: 020 7783 8300

## **Draft Care and Support Bill**

**“A draft Bill will be published to modernise adult care and support in England.”**

### **The purpose of the draft Bill is to:**

- The draft Bill would set out what support people could expect from Government and what action the Government would take to help them to plan, prepare and make informed choices about their care. The draft Bill would provide greater clarity and equity of access to care and support.

### **The main benefits of the draft Bill would be:**

- Modernising care and support law to ensure local authorities fit their service around the needs, outcomes and experience of people, rather than expecting them to adapt to what is available locally.
- Putting people in control of their care and give them greater choice, building on progress with personal budgets.
- Consolidating the existing law by replacing provisions in at least a dozen Acts with a single statute, supported by new regulations and statutory guidance.
- Simplifying the system and processes, to provide the freedom and flexibility needed by local authorities and social workers to allow them to innovate and achieve better results for people.
- Giving people a better understanding of what is on offer, to help them plan for the future and ensure they know where to go for help when they need it.

### **The main elements of the draft Bill are:**

- Modernising the legal framework for care and support, to support the vision of the forthcoming Government White Paper on care and support.
- Responding to the recommendations of the Law Commission, which conducted a three-year review into social care law.
- Establishing Health Education England as a non-departmental public body.
- Establishing the Health Research Authority as a non-departmental public body.
- Creating a London Health Improvement Board.
- Carrying out engagement and pre-legislative scrutiny on the draft Bill, as many in the social care sector have called for, to enable Government to listen

to people with experience and expertise, to make the most of this unique opportunity to reform the law.

#### **Related documents:**

- 'A Vision for Adult Social Care' (Nov 2010):  
[http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\\_121508](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_121508)
- 'Liberating the NHS: Developing the Healthcare Workforce – From Design to Delivery' (January 2011):  
[http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\\_132076](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_132076)
- Law Commission report 326 'Adult Social Care' (May 2011) (Commission's recommendations on reform of legal framework):  
<http://lawcommission.justice.gov.uk/publications/1460.htm>

#### **Existing legislation in this area is:**

- Health and Social Care Act 2012 (1E Duty as to education and training)
- Health and Social Care Act 2012
- NHS Act 2006
- Carers (Equal Opportunities) Act 2004
- Community Care (Delayed Discharges etc.) Act 2003
- Health and Social Care Act 2001
- Carers and Disabled Children Act 2000
- Carers (Recognition and Services) Act 1995
- NHS and Community Care Act 1990
- Disabled Persons (Services, Consultation and Representation) Act 1986
- Mental Health Act 1983
- Health and Social Services and Social Security Adjudications Act 1983
- Chronically Sick and Disabled Persons Act 1970
- Local Authority Social Services Act 1970
- Health Services and Public Health Act 1968 (section 63)
- Health Services and Public Health Act 1968
- National Assistance Act 1948

#### **Devolution:**

The Draft Bill covers England only

Press Office  
Department of Health  
Richmond House  
79 Whitehall  
London SW1A 2NS  
Tel: 020 7210 5221

## Changing the Rules of Succession to the Crown

**“My Government will continue to work with the fifteen other Commonwealth Realms to take forward reform of the rules governing succession to the Crown.”**

The Government has long accepted that there are provisions in the laws on succession which could be discriminatory. We are determined to work with all of the other countries of which Her Majesty is also Head of State to put in place succession laws which are fit for the 21st Century.

The Prime Minister announced in Perth on 28 October 2011 that, with the agreement of the fifteen other Commonwealth Realms of which Her Majesty is also Head of State, we would reform the rules governing Royal Succession so that these are fit for the 21<sup>st</sup> Century.

It was agreed that the UK Government would bring forward legislation first. This would be introduced with the consent of the Realms; and only commenced once the necessary arrangements were in place in all 16 Realms.

Work to secure the consent of the other Commonwealth Realms to the introduction of UK primary legislation to give effect to the proposed reforms is being co-ordinated by the New Zealand Government, with whom the UK Government is working very closely.

Discussions with the Commonwealth Realms are ongoing. UK legislation will be introduced once we have secured the consent of all Realms; and when Parliamentary time allows.

Royal succession rules would be fit for the 21<sup>st</sup> Century, and laws on succession that could be considered discriminatory would be amended: to end the system of male preference primogeniture under which a younger son can displace an elder daughter in the line of succession; to remove the legal provision that anyone who marries a Roman Catholic shall be ineligible to succeed to the Crown; and to replace the Royal Marriages Act 1772 with a provision requiring the consent of the monarch to the marriage of any of the six people nearest in line to the Crown (rather than *anyone* in the line of succession as at present); and providing that if a person marries without consent they will lose their place in the line of succession (at present, the effect of this is to make the marriage void).

Press Office  
Cabinet Office  
70 Whitehall  
London SW1A 2AS  
Tel: 020 7276 0432

## **Electoral Registration and Administration Bill**

**“Legislation will be brought forward which will introduce individual registration of electors and improve the administration of elections.”**

### **The purpose of the Bill is to:**

- The Bill would reduce electoral fraud by speeding up the introduction of Individual Electoral Registration and to modernise our electoral registration system, making it convenient for people to register to vote.

### **The main benefits of the Bill would be:**

- Tackling electoral fraud.
- Improving the integrity of our electoral system, in particular the electoral register.
- Modernising our electoral registration system, making it more convenient for people to register to vote.
- Making a number of improvements to the running of elections.

### **The main elements of the Bill are:**

- A major change to our system of electoral registration – Individual Electoral Registration (IER) - requiring electors to register individually rather than by household. In doing so, an individual must provide information which would be used to verify their application.
- IER would be a requirement for any new registrations and for anyone who wants to vote by post or proxy from 2014. After 1 December 2015 everyone on the electoral register would be registered under the new system.
- Providing for the use of data matching to verify applications and to confirm existing entries in registers to help maintain completeness during the transition to IER.
- Modernising the electoral registration system, making it easier for people to register to vote, for example by opening up the way for digital applications.
- Changes to the administration of elections that will support effective voter participation in elections, further improve the integrity of our electoral system and ensure that the process underpinning our elections is more robust.

**Related documents:**

- Consultation document – *Individual Electoral Registration*:  
<http://www.cabinetoffice.gov.uk/resource-library/individual-electoral-registration-draft-bill>
- Command Paper - *Draft Electoral Administration Provisions*:  
<http://www.cabinetoffice.gov.uk/resource-library/draft-electoral-administration-provisions>
- Command Paper – *Further Draft Electoral Administration Provisions*:  
<http://www.cabinetoffice.gov.uk/resource-library/electoral-administration-provision>
- Command Paper – *Government Response to pre-legislative scrutiny and public consultation on Individual Electoral Registration and amendments to Electoral Administration Law*:  
<http://www.cabinetoffice.gov.uk/resource-library/ier-command-paper>

**Existing legislation in this area is:**

- Representation of the People Act 1983
- Representation of the People Act 2000
- Representation of the People (England and Wales) Regulations 2001
- Representation of the People (Scotland) Regulations 2001
- Electoral Administration Act 2006
- Political Parties and Elections Act 2009

**Devolution:**

This legislation would extend to all of the UK, but apply primarily to Great Britain.

Press Office  
Cabinet Office  
70 Whitehall  
London SW1A 2AS  
Tel: 020 7276 0432

## **House of Lords Reform Bill**

**“A Bill will be brought forward to reform the composition of the House of Lords.”**

### **The purpose of the Bill is to:**

- The Bill would change the way that people become members of the House of Lords. Most are currently recommended by leaders of political parties. The Bill would change this, so that most members of the House of Lords would be elected by the people.

### **The main benefits of the Bill would be:**

- Bringing democratic legitimacy to the reformed House of Lords. The people who obey the laws of this country would be able to elect the people who make those laws.
- Cutting substantially the size of the membership of the House of Lords.
- Ensuring the reformed House of Lords reflects society better than it does now by having Members elected according to the regions and the nations of the UK.
- Allowing the House of Lords for the first time to expel members who have committed serious offences.

### **The main elements of the Bill are:**

- Reform of the House of Lords was in the manifestos of all three major parties at the last General Election, with a broad consensus for reform since 2001. This Bill would build on the draft Bill which the Government published in May 2011 and on which a Joint Committee of both Houses published a report on 23 April.
- The Government is carefully considering the Joint Committee’s report and the Bill as introduced would reflect the Government’s response to the Joint Committee.
- The Joint Committee agreed with the Government in the following key areas:
  - A mainly elected chamber.
  - Elected members of the House of Lords would be voted in by a different electoral system to the House of Commons, on a proportional basis (a single transferable vote system).



- Elections would be staggered, with one-third of the elected seats coming up for renewal at a time. This means that experience would be retained over elections.
- Current members of the House of Lords would leave in stages, to ensure knowledge and expertise is retained and transferred to the reformed House.
- Elections would coincide with elections to the House of Commons, but with much larger regional multi-member “constituencies”.
- The size of the House would be reduced substantially. At over 800 members, the present House of Lords is amongst the largest legislative chambers in the world.
- Members would serve a single, non-renewable term of 15 years. This means they would not be able to seek re-election, enhancing their independence from day-to-day party politics.
- Membership of the House of Lords would no longer be linked to the acceptance of a peerage. Peerages would revert simply to being an honour, rather than also granting a seat in the legislature.
- The Bill would mean the House of Lords would be able to make standing orders allowing it to suspend or expel any member. At the moment, members of the House of Lords cannot be expelled, even for a serious criminal offence, and can only be suspended for the remainder of a Parliament.
- The Bill would not change the powers and functions of the House of Lords.

**Related documents:**

- White Paper and draft Bill: *House of Lords Reform Draft Bill*: <http://www.official-documents.gov.uk/document/cm80/8077/8077.asp>

**Existing legislation in this area is:**

- House of Lords Act 1999

**Devolution:**

The Bill would apply to the whole of the UK.

Press Office  
Cabinet Office  
70 Whitehall  
London SW1A 2AS  
Tel: 020 7276 0432

## **Devolved Institutions**

**“My Government will continue to work constructively and cooperatively with the devolved institutions.”**

### **Scotland**

We will continue to work collaboratively with the Scottish Parliament and Scottish Government whenever possible and to engage with MPs and MSPs from across the political spectrum. We acknowledge the important points of difference that exist between politicians from different parties and administrations.

This Government will continue to work positively for a fairer, more prosperous and sustainable Scotland and United Kingdom. One of the priorities will be the implementation of the considerable powers transferred to the Scottish Parliament by the Scotland Act, which received Royal Assent recently.

### **Wales**

We are discussing with the Welsh Government the implications of our legislative programme for matters devolved to Wales. The UK Government is keen to work hand in hand with the Welsh Government on aspects of the programme which touch on devolved matters. There will be a need for some Legislative Consent Motions in the Assembly, and we will work with the Welsh Government to ensure it can support those motions.

### **Northern Ireland**

We shall continue to work with the Northern Ireland Executive to help bring about a stable, prosperous Northern Ireland at peace with itself and ready for the challenges and opportunities of the 21<sup>st</sup> century.

Press Office  
Scotland Office  
1Melville Crescent  
Edinburgh EH3 7HW  
Tel: 0131 244 9052

Press Office  
Wales Office  
Gwydyr House  
Whitehall  
London SW1A 2NP  
Tel: 020 7270 0565

Press Office  
Northern Ireland Office  
Stormont House  
Stormont  
Belfast BT4 3TT  
Tel: 028 9052 7856

## **Estimates for the Public Services**

### **“Estimates for the public services will be laid before you.”**

All public spending requires parliamentary authority. By approving the Estimates laid before it, Parliament allows the Government to use resources and draw money from the Consolidated Fund.

Under long-established constitutional practice it is for the Crown (the Government) to demand money, the House of Commons to grant it and the House of Lords to assent to the grant.

Parliamentary control over spending is primarily exercised by the House of Commons and it is for that reason that the sentence above is addressed to Members of the House of Commons. Parliament provides approval for spending either through authority voted annually in response to Estimates laid before the House of Commons by the Government or through charging spending by statute directly on the Consolidated Fund, known as 'Consolidated Fund Standing Services', or on other funds (such as the National Loans Fund).

Through approval of the Estimates, Parliament gives statutory authority for both the consumption of resources and for cash to be drawn from the Consolidated Fund (the Government's general account at the Bank of England). The process of authorisation is known as 'Supply procedure'.

The Main Estimates are presented to Parliament around the start of the financial year to which they relate (they are presented within five weeks of the Chancellor's Budget Statement). Departments are then able to submit Supplementary Supply Estimates in February to seek authority for any changes to spending plans that occur after the Main Estimates are presented.

The Commons has the opportunity to debate the content of the Estimates during 'Estimates Day' debates, for which up to three days are available in each session. Debates take place in June or July on the Main Estimates and in February on the Supplementary Estimates. Following such debates, resolutions to approve the Estimates are proposed by HM Treasury Ministers and voted on by the Commons. A Bill (becoming either a Supply and Appropriation (Main Estimates) Act or a Supply and Appropriation (Anticipation and Adjustments) Act) to provide formal legislative authority for the spending plans is then immediately introduced and is not subject to further debate (as provided for in House of Commons Standing Orders (Nos. 54-56)). The bills are agreed to by the House of Lords without debate under the constitutional practice referred to above.

Spending during the first months of a financial year (before that year's Main Estimates are given statutory effect) is by a Vote on Account, which is approved at the same time as the previous financial year's supplementary estimates.

**Related documents:**

- Central Government Supply Estimates, Supplementary Estimates 2011-12 (HC 1755), published on 8 February 2012.
- Estimates are presented several times a year and are followed by Supply legislation. The most recent is the Supply and Appropriation (Anticipation and Adjustments) Act 2012 (given Royal Assent on 8 March 2012).

**Devolution:**

Estimates for public services apply to the whole of the United Kingdom.

Press Office  
Cabinet Office  
70 Whitehall  
London SW1A 2AS  
Tel: 020 7276 1196

## **Crime and Courts Bill**

**“My Government is committed to reducing and preventing crime. A Bill will be introduced to establish the National Crime Agency to tackle the most serious and organised crime and strengthen border security. The courts and tribunals service will be reformed to increase efficiency, transparency and judicial diversity”**

### **The purpose of the Bill is to:**

- The Bill would protect the public by enhancing the national response to serious, organised and complex crime and strengthening border security. The Bill will also help deliver a swifter, more open and effective court and tribunal system, while also reforming the judicial appointments process.

### **The main benefits of the Bill would be:**

- Creating a step change in the response to serious, organised and complex crime.
- Enhancing border security.
- Ensuring a more effective and proportionate immigration appeals system.
- Ensuring a swifter, more open, efficient and effective court and tribunal system.
- Ensuring greater transparency in the judicial appointments process and improve judicial diversity.
- Improving road safety.
- Reforming community sentencing

### **The main elements of the Bill are:**

- Establishing the National Crime Agency to prevent and investigate serious, organised and complex crime, enhance border security, and tackle the sexual abuse and exploitation of children and cyber crime.
- Establishing a Single County Court system and Single Family Court to allow greater flexibility for the handling of cases to increase efficiency of the civil and family court systems in England and Wales.
- Reforming the judicial appointments process to introduce greater transparency in the judicial appointments process and improve judicial diversity.

- Introducing flexible judicial deployment to allow judges to move between courts and tribunals more efficiently.
- Increasing the efficiency of fines by providing incentives for compliance, so that offenders incur the cost for delaying payment, not taxpayers.
- Allowing data to be shared between the courts and tribunals service and other agencies to allow fee exemption applications to be checked electronically.
- Enabling the introduction, in limited circumstances, of court broadcasting to help demystify the justice system.
- Removing the full appeal right for Family Visa Visit cases and removing in-country appeal rights from individuals excluded from the UK by the Home Secretary.
- Strengthening the powers of immigration officers to tackle serious and organised immigration-related crime.
- Introducing a new offence of driving, or being in a charge of, a motor vehicle with concentrations of specified controlled substances in excess of specified levels.
- Reforming community sentences to ensure offenders are properly punished and effectively rehabilitated

#### **Related documents:**

- *“Policing in the 21<sup>st</sup> Century”*, Home Office, July 2010:  
<http://www.homeoffice.gov.uk/publications/consultations/policing-21st-century/policing-21st-full-pdf>
- *“The National Crime Agency: A plan for the creation of a national crime-fighting capability”* (Cm 8097), Home office, June 2011:  
<http://www.homeoffice.gov.uk/publications/crime/nca-creation-plan>
- Single County Court: *“Solving disputes in the county courts: creating a simpler, quicker and more proportionate system”*:  
<http://www.justice.gov.uk/downloads/consultations/solving-disputes-county-courts.pdf>
- Single Family Court: *“Family Justice Review: Final Report”*:  
<http://www.justice.gov.uk/downloads/publications/moj/2011/family-justice-review-final-report.pdf>
- Judicial Appointments: *“Appointments and Diversity: A Judiciary for the 21st Century”*:  
<http://www.justice.gov.uk/downloads/consultations/judicial-appointments-consultation-1911.pdf>

- Community and other non-custodial sentencing: “*Punishment and Reform: Effective Community Sentences*”:  
[https://consult.justice.gov.uk/digital-communications/effective-community-services-1/supporting\\_documents/effectivecommunitysentences.pdf](https://consult.justice.gov.uk/digital-communications/effective-community-services-1/supporting_documents/effectivecommunitysentences.pdf)
- “*Family Migration: A Consultation*”, Home Office, July 2011:  
<http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/consultations/family-migration/consultation.pdf?view=Binaryb>
- “*Report of the Review of Drink and Drug Driving Law*”, Sir Peter North, June 2010:  
<http://webarchive.nationalarchives.gov.uk/20100921035225/http://northreview.independent.gov.uk/docs/NorthReview-Report.pdf>

**Existing legislation in this area is:**

- Serious Organised Crime and Police Act 2005
- Constitutional Reform Act 2005
- Courts Act 2003
- The Nationality, Immigration and Asylum Act 2002
- The Road Traffic Act 1988
- Matrimonial and Family Proceeding Act 1984
- County Courts Act 1984
- Contempt of Court Act 1981
- Magistrates. Courts Act 1980
- Criminal Justice Act 1925

**Devolution:**

The Bill applies (with some exceptions) to England, Wales, Scotland and Northern Ireland and relates to a mix of transferred and non-transferred matters.

Press Office  
Home Office  
2 Marsham Street  
London SW1P 4DF  
Tel: 020 7035 3535

## **Defamation Bill**

**“Legislation will be introduced to protect freedom of speech and reform the law of defamation.”**

### **The main purpose of the Bill is to:**

- The Bill would reform the law of defamation to ensure that a fair balance is struck between the right to freedom of expression and the protection of reputation.

### **The main benefits of the Bill would be:**

- Rebalancing the law to ensure that people who have been defamed are able to protect their reputation, but that free speech and freedom of expression are not unjustifiably impeded by actual or threatened libel proceedings.
- Ensuring that the threat of libel proceedings is not used to frustrate robust scientific and academic debate, or to impede responsible investigative journalism.
- Reducing the potential for trivial claims and address the perception that our courts are an attractive forum for libel claimants with little connection to this country, so that our law is respected internationally.

### **The main elements of the Bill are:**

- Introducing a requirement that a statement must have caused serious harm for it to be defamatory in order to discourage trivial claims.
- Creating a new statutory defence of responsible publication on matters of public interest (essentially to codify the common law “Reynolds” defence).
- Creating statutory defences of truth and honest opinion to replace the common law defences of justification and fair comment.
- Updating and extending the circumstances in which the defences of absolute and qualified privilege are available, including extending qualified privilege to peer-reviewed material in scientific and academic journals.
- Introducing a single publication rule to prevent an action being brought in relation to publication of the same material by the same publisher after a one year limitation period has passed.
- Addressing libel tourism by tightening the test to be applied by the courts in relation to actions brought against people who are not domiciled in the UK or EU Member State.



- Removing the presumption in favour of jury trial, leaving the judge a discretion to order jury trial where it is in the interests of justice.
- Introducing a new process governing responsibility for publication on the internet, to give greater protection to operators of websites hosting user-generated content provided they comply with a procedure to enable the complainant to resolve any dispute direct with the author of the material concerned.
- Offering greater protection to secondary publishers such as booksellers by taking away the court's jurisdiction to hear an action for defamation brought against them except where it is not reasonably practicable for the claimant to bring the action against the author, editor or commercial publisher.
- Making the power of the court under the existing summary disposal procedure to order publication of a summary of its judgment available in defamation proceedings generally.

#### **Related Documents:**

- Draft defamation Bill:  
<http://www.justice.gov.uk/downloads/consultations/draft-defamation-bill-consultation.pdf>
- Summary of responses to draft defamation Bill consultation:  
<http://www.justice.gov.uk/downloads/consultations/draft-defamation-bill-consult-summary-responses.pdf>
- Government response to the Draft Defamation Bill Committee:  
<http://www.parliament.uk/documents/joint-committees/Draft%20Defamation%20Bill/Government%20Response%20CM%208295.pdf>

#### **Existing Legislation in this area is:**

- Defamation Act 1996
- Defamation Act 1952
- Slander of Women Act 1891

#### **Devolution:**

This applies to England and Wales.

Press Office  
Ministry of Justice  
102 Petty France  
London SW1H 9AJ  
Tel: 020 3334 3537

## **Justice and Security Bill**

**“My Government will introduce legislation to strengthen oversight of the security and intelligence agencies. This will also allow courts, through the limited use of closed proceedings, to hear a greater range of evidence in national security cases.”**

### **The purpose of the Bill is to:**

- The Bill would respond to the challenge of using sensitive information in civil proceedings where the Government is party, without risking disclosure contrary to the public interest, and is also intended to enhance the current oversight regimes for the Security and Intelligence Agencies (the Agencies).

### **The main benefits of the Bill would be:**

- Allowing Courts to consider all material relating to a case- even where national security prevents that information from being made public;
- Ensuring that where an individual challenges an action taken by the Government, that such claims can be properly investigated and scrutinized by the courts;
- Enabling the courts to access all information relevant to the (civil) case, in a manner which does not risk harm to nation security, and ultimately the Government’s ability to protect the general public.
- Enabling the courts to fully consider all relevant information in civil claims made against the Government, preventing the situation of the Government being forced to settle cases which it believes have no merit.
- Modernising Parliamentary oversight of the Security and Intelligence Agencies.

### **The main elements of the Bill will:**

- Allow Courts to consider all material relating to a case- even where national security prevents that information from being made public;
- Ensure that where an individual challenges an action taken by the Government, that such claims can be properly investigated and scrutinized by the courts;
- Enable the courts to access all information relevant to the (civil) case, in a manner which does not risk harm to national security, and ultimately the Government’s ability to protect the general public.

- Enable the courts to fully consider all relevant information in civil claims made against the Government, preventing the situation of the Government being forced to settle cases which it believes have no merit.
- Modernise Parliamentary oversight of the Security and Intelligence Agencies.

**Related documents:**

- Hansard HC vol 518 col 899 (19 October 2011): Justice and Security Green Paper
- Hansard HC vol 518 col 752 (16 November 2010): Guantanamo Civil Litigation Settlement
- Justice and Security Green Paper, TSO, November 2011:  
<http://consultation.cabinetoffice.gov.uk/justiceandsecurity/wp-content/uploads/2011/green-paper.pdf>

**Existing legislation in this area is:**

- Terrorism Prevention Investigation Measures Act 2012 (TPIMs)
- Prevention of Terrorism Act 2005
- Anti-terrorism Crime and Prevention Act 2001
- Regulation of Investigatory Powers Act 2000 (RIPA)
- Intelligence Services Act 1994 (ISA)

**Devolution:**

The Bill would apply to all UK jurisdictions.

Press Office  
Ministry of Justice  
102 Petty France  
London SW1H 9AJ  
Tel: 020 3334 3537

## **Draft Communications Data Bill**

**“My Government intends to bring forward measures to maintain the ability of the law enforcement and intelligence agencies to access vital communications data under strict safeguards to protect the public, subject to scrutiny of draft clauses.”**

### **The purpose of the draft Bill is to:**

- The draft Bill would protect the public by ensuring that law enforcement agencies and others continue to have access to communications data so that they can bring offenders to justice.

### **What is communications data:**

- Communications data is information about a communication, not the communication itself. Communication data is NOT the content of any communication - the text of an email, or conversation on a telephone.
- Communications data includes the time and duration of the communication, the telephone number or email address which has been contacted and sometimes the location of the originator of the communication.

### **The main benefits of the draft Bill would be:**

- The ability of the police and intelligence agencies to continue to access communications data which is vital in supporting their work in protecting the public.
- An updated framework for the collection, retention and acquisition of communications data which enables a flexible response to technological change.

### **The main elements of the draft Bill are:**

- Establishing an updated framework for the collection and retention of communications data by communication service providers (CSPs) to ensure communications data remains available to law enforcement and other authorised public authorities.
- Establishing an updated framework to facilitate the lawful, efficient and effective obtaining of communications data by authorised public authorities including law enforcement and intelligence agencies.
- Establishing strict safeguards including: a 12 month limit of the length of time for which communications data may be retained by CSPs and measures to protect the data from unauthorised access or disclosure. (It will continue to be the role of the Information Commissioner to keep under review the operation

of the provisions relating to the security of retained communications data and their destruction at the end of the 12 month retention period)

- Providing for appropriate independent oversight including: extending the role of the Interception of Communications Commissioner to oversee the collection of communications data by communications service providers; providing a communications service provider with the ability to consult an independent Government / Industry body (the Technical Advisory Board) to consider the impact of obligations placed upon them; extending the role of the independent Investigatory Powers Tribunal (made up of senior judicial figures) to ensure that individuals have a proper avenue of complaint and independent investigation if they think the powers have been used unlawfully.
- Removing other statutory powers with weaker safeguards to acquire communications data.

**Existing legislation in this area is:**

- Regulation of Investigatory Powers Act 2000
- The Data Retention (EC Directive) Regulations 2009

**Devolution:**

The Bill would apply to England, Wales, Scotland and Northern Ireland and relates to non-transferred matters.

Press Office  
Home Office  
2 Marsham Street  
London SW1P 4DF  
Tel: 020 7035 3535

## **European Union (Approval of Treaty Amendment Decision) Bill**

**“My Government will seek the approval of Parliament relating to the agreed financial stability mechanism within the euro area.”**

### **The purpose of the Bill is to:**

- The Bill would provide for Parliamentary approval of the change of Article 136 of the Treaty on the Functioning of the European Union (TFEU), confirming that Euro area Member States may establish a permanent stability mechanism – the European Stability Mechanism (ESM).

### **The main benefits of the Bill would be:**

- Paving the way for the Eurozone countries to set up a permanent European Stability Mechanism, which supports Eurozone countries in trouble.
- Removing any UK liabilities for future EU bailouts, via the EU budget.
- Enabling the UK to play its part in helping Eurozone countries implement their plan.

### **The main elements of the Bill are:**

- Providing for a binary decision to approve the Treaty change.

### **Related documents:**

- European Council Decision amending Article 136 TFEU and Statement to Parliament:  
<http://www.fco.gov.uk/en/global-issues/european-union/eu-act/eu-act-in-practice/>

### **Existing legislation in this area is:**

- EU Act 2011

### **Devolution:**

The Bill would extend to the whole of the United Kingdom.

Press Office  
Foreign and Commonwealth Office  
King Charles Street  
London SW1A 2AH  
Tel: 020 7008 3100

## **Croatia Accession Bill**

**“My Government will seek the approval of Parliament on the anticipated accession of Croatia to the European Union.”**

### **The purpose of the Bill is to:**

- The Bill would provide for Parliamentary approval of the Croatia Accession Treaty; Protocols to the Lisbon Treaty put forward by the Czech and Irish Governments; and the proposed decision to maintain the number of EU Commissioners to one per Member State.

### **The main benefits of the Bill would be:**

- Confirming the Government’s support for further enlargement of the EU, creating stability, security and prosperity across Europe.
- Controlling immigration from Croatia

### **The main elements of the Bill are:**

- Providing for Parliamentary approval of the Croatia Accession Treaty, Protocols to the Lisbon Treaty put forward by the Czech and Irish Governments, and the proposed decision to maintain the number of EU Commissioners to one per Member State.
- When any new country joins the EU we will apply transitional immigration controls as a matter of course. Croatia is no exception, and the Bill will provide for this. The specific transitional immigration controls will be based on the likely volume and impact of migration from Croatia, and will be the subject of secondary legislation.

### **Related documents:**

- Croatia Accession Treaty: <http://eur-lex.europa.eu/en/index.htm>

### **Existing legislation in this area is:**

- EU Act 2011

### **Devolution:**

The Bill would extend to the whole of the United Kingdom.

Press Office  
Foreign and Commonwealth Office  
King Charles Street  
London SW1A 2AH  
Tel: 020 7008 3100

## Afghanistan

### **“My Government will work to support a secure and stable Afghanistan...”**

The UK is in Afghanistan to protect our own national security by helping the Afghans take control of theirs. We are transitioning security to full Afghan responsibility, as agreed at the Lisbon Conference in 2010. This is on track, realistic and achievable.

It is important that we ensure a sustainable Afghan National Security Force beyond 2014. We are working with key partners on plans for the future size and shape of the ANSF. The UK Government has announced that we will make a contribution of £70m for an initial period post-2014. The UK has also announced that we will play a leading role in the Afghan National Army Officer Academy.

Military means alone will not bring about a more secure Afghanistan. We remain committed to supporting the Government of Afghanistan in its efforts to achieve an inclusive, representative and sustainable political settlement. We encourage all parties to take forward reconciliation.

That includes members of the Taliban who are prepared to renounce violence, break ties with Al Qaeda and respect the Afghan constitution. The success of any political process will depend on the participation and support of Afghanistan’s neighbours.

Strengthening governance and democratic institutions is an important part of our efforts to develop a stable Afghanistan. Credible and transparent elections in line with constitution are an important step towards a secure future.

We welcome the Afghan Government’s commitment to protecting the human rights of the Afghan people, as enshrined in the Afghan Constitution, and continue to make clear that any political settlement should be inclusive and address the concerns of all Afghan citizens.

We are working closely with the Afghan Government, Afghan civil society organisations and international partners to improve the status of women, so they can participate as fully as possible in a future, peaceful Afghanistan.

The Afghan Government has committed to tackle corruption, which hampers socio-economic development and undermines the legitimacy of the Government of Afghanistan and its ability to deliver services to the Afghan people. We are working with the Afghan Government and international partners to support this work.

Following the completion of transition at the end of 2014, we will have an ongoing relationship with Afghanistan, based on diplomacy, trade, aid, development and military training.

Press Office  
Foreign and Commonwealth Office  
King Charles Street  
London SW1A 2AH  
Tel: 020 7008 3100



## Reducing the threat of nuclear proliferation

**“My Government will work to ... reduce the threat of nuclear proliferation, including in Iran....”**

The proliferation of nuclear weapons and their delivery systems is a huge challenge which poses several serious risks to international security. Globalisation has increased the flow of trade and knowledge, making it harder to identify cargoes and technologies destined for weapons programmes of concern.

We cannot stop this trade on our own, so we need to work with trading hubs and international partners to improve policing, including the UN, G8, NATO and the EU. The UK is committed to supporting, strengthening and extending the rules-based international system of counter proliferation treaties, regimes and organisations that underpins global security and prosperity.

We continue to take practical steps towards these objectives, including through our work to address concerns about the following states:

**Iran:** We have serious concerns about Iran’s expansion of near 20% enriched uranium production. In March, the IAEA reported that Iran had rapidly expanded its production capacity of this material. Iran has no civilian use for such significant quantities of this material and the step is a cause for considerable alarm. We approach the E3+3 (UK, US, France, Germany, Russia and China) talks with Iran determined to pursue a serious dialogue and committed to finding a peaceful, negotiated solution to the nuclear issue. We look forward to the next round of talks in Baghdad on 23 May.

We now need agreement on urgent, practical steps to build confidence that Iran will meet its international obligations and that Iran does not intend to build a nuclear weapon. We believe the dual track process – of pressure, in the form of robust sanctions, and engagement – offers the best chance of progress.

**DPRK (North Korea):** The UK has expressed its serious concerns over DPRK’s attempted satellite launch on 13 April. The international community is united in its assessment that the satellite launch was a provocative action, which undermines regional stability. We welcome the strong UN Security Council Presidential Statement which condemned the attempted launch as a serious violation of Security Council resolutions and declared it to be a cause for grave concern. It also included a revision of existing sanctions and new designations. We will continue to urge the DPRK to suspend all missile and nuclear-related activity and to commit to engaging constructively with the international community.

Press Office  
Foreign and Commonwealth Office  
King Charles Street  
London SW1A 2AH  
020 7008 3100

## Horn of Africa

**“My Government will work to .... bring greater stability to the Horn of Africa.”**

Instability in the Horn of Africa has a devastating effect not just on the people of the region, through famine, fighting and displacement, but beyond the region's borders. Extremists and criminal gangs have conducted terrorist attacks and kidnappings in the region. In the Gulf of Aden, over 400 vessels have been attacked and over 100 hijacked by pirates in the last three years. These problems affect the UK directly and, working with the governments of the region, we must be part of the solution.

On 23 February the Prime Minister hosted the London Conference on Somalia, bringing together 55 countries and international organisations, as well as Somali leaders, to agree how the international community could reinvigorate its approach to Somalia.

We will take forward the practical measures agreed by the Conference as follows:

- Political process – supporting the process to end the transition in August 2012 in a way which is broad-based and inclusive; the establishing a Joint Financial Management Board to increase the transparency and accountability of transitional federal government, and future government, spending.
- Security and justice – creating a framework for international support to develop Somali security and justice capacity.
- Piracy – addressing the causes of piracy on land, and building judicial and imprisonment capacity in the region; building a Regional Anti-Piracy Prosecutions Intelligence Co-ordination Centre in the Seychelles; establishing an international task force on piracy ransoms.
- Terrorism – building capacity to disrupt terrorism in the region, including disrupting terrorists' travel to and from Somalia and terrorist finances.
- Humanitarian – continuing support in the context of the fragile humanitarian situation in Somalia and the need to create the conditions for voluntary return of refugees and Internally Displaced People.
- Stability and recovery – operationalising the new Stability Fund to channel development support, such as for basic services, jobs, security and justice, to emerging areas of stability across Somalia.
- International co-ordination – working with the UN to improve the effectiveness of the International Contact Group on Somalia.

It is also important to build stability in the wider Horn of Africa to prevent the spread of insecurity, and enable development that will lift communities out of poverty. The new EU Strategic Framework for the Horn of Africa, and the appointment of an EU Special Representative, provides a vehicle to take this forward, with the promotion of peaceful and credible elections in Kenya as a particular priority for the UK.

Press Office  
Foreign and Commonwealth Office  
King Charles Street  
London SW1A 2AH  
Tel: 020 7008 3100

## Middle East and North Africa

**“In the Middle East and North Africa, my Government will support the extension of political and economic freedom in countries in transition.”**

The Foreign Secretary has spoken of the Arab Spring as the most significant development of the twenty-first century. Change has been led by the people of the region. Through the Arab Partnership, the UK has been supporting those building more democratic, inclusive and prosperous societies across the Middle East and North Africa (MENA).

The Arab Partnership provides practical assistance and diplomatic support for the MENA region. It includes a joint FCO and DFID Arab Partnership Fund over four years, which in May 2011 was expanded to £110 million. The Arab Partnership Fund supports local partners and international institutions in strengthening political participation, public voice, good governance including the rule of law and anti-corruption, inclusive and sustainable economic development, job creation, regional and global trade integration, and enterprise growth across the MENA region.

In 2011/12, the joint FCO-DFID Arab Partnership Fund spent approximately £10 million across the region in 11 countries, across approximately 50 different projects. The Fund's spend will at least double in 2012/13. This complements £23.7m committed for the MENA region in 2012/13 through the FCO, DFID and MOD Conflict Pool to support fragile and conflict affected states build stability and resilience.

The UK is also working to strengthen assistance available for the region through the international community, particularly the G8 as the UK looks forward to its presidency in 2013. The UK is also leading efforts to ensure a comprehensive offer of support through the EU's European Neighbourhood Policy, on the basis of progress on political and economic reform in the region.

The UK remains fully committed to helping Libya through its transition to democracy. The UK is working with the Transitional Government and UN to provide UK bilateral assistance including for public security, prison reform, strategic communications and women's rights.

In Syria, we remain deeply concerned by the continuing violence perpetuated by the Assad regime.

The UK supports the efforts of Kofi Annan, the Joint Arab League and UN Special Envoy on Syria, to bring an end to the violence and begin an inclusive Syrian-led political transition with his six point plan. We urge the Assad regime to implement fully its undertakings to the Joint Arab League and UN Special Envoy on Syria, Kofi Annan, including withdrawing troops and weaponry from residential areas, while allowing humanitarian organisations unfettered access to Syria.

We welcome the United Nations Security Council's unanimous endorsement for the deployment of a monitoring mission for Syria, a vital step in supporting the fragile

ceasefire. DFID is providing £8.5 million to meet the humanitarian needs of Syrians, including refugees in the region. The FCO's Conflict Pool has also committed £950,000 to provide training and support to the Syrian opposition and civil society.

Press Office  
Foreign and Commonwealth Office  
King Charles Street  
London SW1A 2AH  
Tel: 020 7008 3100

## Overseas Aid

**“My Government has set out firm plans to spend nought point seven per cent of gross national income as official development assistance from 2013. This will be the first time the United Kingdom has met this agreed international commitment.”**

The Coalition Government is the first Government in history to set out - in black and white in the Spending Review - clear plans to honour the UK's long-standing pledge to spend 0.7 per cent of Gross National Income as aid from 2013. This historic move was reconfirmed in the Autumn Statement, when the cash amount was adjusted in line with GNI projections, and most recently in the March Budget.

Spending 0.7 per cent of our national income on aid – an internationally agreed target - will create a safer and more prosperous world for the UK. Tackling poverty in the world's poorest places can mean tackling the root causes of global problems such as disease, drugs, migration, terrorism, and climate change, which matter to us here in Britain.

We know that aid works. UK funding saves three million people from poverty each year. It has helped to eradicate smallpox and reduce polio cases from 350,000 a year in 1988 to just 1,500 last year. In addition, UK aid delivered more than 12 million bednets last year, helping to prevent 66,000 children dying from malaria.

The Coalition Government has placed a radically new focus on results meaning that it has been able to set out for the first time the specific results we intend to achieve on behalf of UK taxpayers. For example, over the lifetime of this Parliament the UK will help get 11 million children into school, save the lives of 50,000 mothers in childbirth and vaccinate a child every two seconds.

And we have reoriented DFID's work to focus on the private sector and on helping economies to stand on their own two feet. For example, we will help make it easier to do business by reducing barriers, costs and risks of doing business, cutting red tape and expanding markets and trade.

Press Office  
Department for International Development  
1 Palace Street  
London SW1E 5HE  
Tel: 020 7023 0600

## Emerging Powers

### **“My Government will build strategic partnerships with the emerging powers.”**

Strengthening relations with the emerging powers, particularly the fast-growing economies of Asia, Latin America and Africa, is one of our foreign policy priorities. It is vital to increasing our international influence in a changing world.

Economic and political power is shifting south and east. Five emerging markets (India, Vietnam, Korea, China and Russia) are expected to more than double in size between 2010 and 2015. The Asia Pacific region is expected to see the fastest growth in import demand and in many Asian countries demand is expected to more than double.

The Foreign Secretary launched the Government's Emerging Powers Initiative to respond to this shift in power. The goal of the Initiative is to intensify Britain's economic and political connections with the new powers of the 21st century: in Latin America, in Africa, in the Gulf and here in the Asia-Pacific, where the greatest numbers of the world's emerging powers and fastest growing economies are to be found.

This means the Government is investing the time and effort to support opportunities for British companies in these high growth markets, and to develop the bilateral relationships with these powers over the long term. The NSC (EP) brings together a cross-Whitehall effort to support this, making important decisions about prioritisation of resources.

We have set ambitious targets for boosting trade with these high growth economies. By 2020 we should match the E3's (France, Germany and Italy) export share of emerging markets, increasing and in many key markets doubling our bilateral trade, as part of a target to double British exports to £1 trillion a year.

We are making good progress to date. For example, in 2011 we increased trade with China by 40%, South Africa by 33% and Turkey by 30%. The UK is now the number one destination for inward investment from Kuwait and Qatar.

However, the UK still lags behind European competitors in the market share of exports to emerging markets. For example, in 2010, Germany had 4% of the Chinese market and UK had 1%, for Brazil, Germany had 5% and the UK 2%.

We have changed the nature of our engagement, making more of top-level relationships. Between November 2011 and April 2012, the number of high level visits to key emerging powers was approximately 50% up on the previous six months. These visits are being carefully targeted and coordinated across Whitehall to ensure that we make the best possible use of resources.

The initiative is backed a Network Shift in our resources, which will ensure that we have the staff on the ground that we need to exploit the potential of these high growth markets, and to act in our national interest in our diplomatic relationships with

these countries, by encouraging the emerging powers to work with us on global issues: climate change, food security, trade, conflict and energy issues, for example. By 2015 we will also have deployed around 60 extra staff to China, 30 to India and another 50 across our Asian network including Indonesia, Vietnam, Malaysia, the Philippines, Thailand, Singapore and South Korea.

Ministers have approved over £2m of programme funds to support the Initiative from 2012-15. A new international visitors programme will prioritise extended (two-to-three week) inward visits for future leaders and policy makers from the emerging powers. There will be a Programme for civil society engagement and additional funding for scholarships.

Press Office  
Foreign and Commonwealth Office  
King Charles Street  
London SW1A 2AH  
Tel: 020 7008 3100

## **Presidency of the G8**

**“The United Kingdom will assume the Presidency of the G8 in 2013: my Government will use this opportunity to promote international security and prosperity.”**

The United Kingdom will take over the Presidency of the G8 from the United States on 1 January 2013. The UK will work closely with the current G8 Presidency to ensure a smooth handover. We will outline our priorities for the Presidency in due course.

The G8 is a forum of developed countries which make up some of the world's largest economies. The G8's members are Canada, France, Germany, Italy, Japan, Russia, the United Kingdom (UK) and the United States (US). Currently, the G8 accounts for more than 50% of global GDP and around 14% of the world's population.

The main meeting of the G8, the annual summit, is hosted by the rotating Presidency with each member country taking turns on an annual basis. The US holds the Presidency in 2012 and its summit will take place at Camp David in Maryland on 18-19 May.

The G8 was set up by its founders to enable global leaders to discuss matters of mutual interest, both political and economic, in a smaller and more informal environment. Over time, the G8 has moved on to discuss other issues such as trade, aid, the environment and energy as well as more explicitly political issues such as the war in Iraq, terrorism and the Middle East.

Press Office  
Foreign and Commonwealth Office  
King Charles Street  
London SW1A 2AH  
Tel: 020 7008 3100



## Diamond Jubilee

**“In the year of the Diamond Jubilee, Prince Philip and I will continue to take part in celebrations across the United Kingdom.”**

2012 marks 60 years of the Queen’s reign. This is a truly historic occasion and testament to the hard work and dedication of Her Majesty the Queen to this country, the Commonwealth and Her people.

The Government is working closely with Buckingham Palace. We are both committed to ensuring that celebrations should take place of which we can all be proud and that the public is given every opportunity to celebrate the Jubilee as they so wish.

Buckingham Palace is responsible for organising and overseeing the programme of events that will take place during the four day Jubilee weekend in June. This includes a River Pageant on the Thames and the Big Jubilee Lunch, a concert at Buckingham Palace, the lighting of over 2012 beacons all around the country and the Commonwealth and a Service of Thanksgiving at St. Paul’s Cathedral.

The scale of the crowds and ceremonies will be a great, positive opportunity for the UK and will act as a taster for the Olympics and Paralympics

The Department for Culture, Media and Sport is responsible for co-ordinating Jubilee activity across Government, its agencies and the Devolved Administrations. So far, Government has:

- Created a four day weekend in June by moving the late May bank holiday to Monday 4 June and adding an extra bank holiday on Tuesday 5 June. This will take place throughout the UK (including Scotland);
- Held two national competitions, for city status and Lord Mayoralty (Lord Provostship in Scotland) and announced the winners as agreed by Her Majesty;
- Announced the issue of a Diamond Jubilee medal (production and distribution of approx 450,000 medals is on track);
- Advised Her Majesty about bestowing Royal Borough status on the London Borough of Greenwich;
- Launched The Queen’s Diamond Jubilee Volunteering Award 2012;
- Supported the event organisers and the Royal Household by sharing expertise, logistical support, costs and resources where appropriate; and
- Launched a public ballot for 10,000 free tickets for seating outside Buckingham Palace on 5 June.

The Government and the Royal Household are keen to ensure that the celebrations reflect the current economic climate and be funded from within existing budgets.

Press Office  
Department for Culture, Media and Sport  
2-4 Cockspur Street  
London SW1Y 5DH  
Tel: 020 7211 2210

## Olympics and Paralympics

**“Prince Philip and I look forward to the London Olympic and Paralympic Games and to welcoming visitors from around the world to London and venues throughout the country.”**

The London 2012 Olympic Games begin on 27 July until 12 August with the Paralympics running from 29 August to 9 September.

Across 29 days of competition the UK will stage 301 Olympic events in 26 sports and 471 Paralympic events in 20 sports.

15,000 athletes and 10,000 officials from 200 countries will be accommodated with events at 40 venues across the UK, 25 per cent of which are outside London.

A total of 10 million Olympic tickets and 2 million Paralympics tickets will be sold to spectators.

London 2012 is a once-in-a-generation opportunity to showcase the UK today.

That is why the Government has developed the GREAT campaign, the UK's most extensive and ambitious international marketing campaign to promote to the world everything that's great about the UK.

By supporting Visit Britain's £100 million marketing programme to attract inbound tourism we expect the GREAT campaign to deliver half a million extra visitors, more than a quarter of a million (£277 million) pounds of additional visitor spend, 7,000 new jobs for the UK economy as well as new inward investment projects.

Press Office  
Department for Culture, Media and Sport  
2-4 Cockspur Street  
London SW1Y 5DH  
Tel: 020 7211 2210