

Confidential filing

Precedence of MP's & MEP's
on Royal Visits

ROYAL FAMILY

Dec '82

Referred to	Date	Referred to	Date	Referred to	Date	Referred to	Date
PREM 19 / 39 20							

From: THE PRIVATE SECRETARY



HOME OFFICE
QUEEN ANNE'S GATE
LONDON SW1H 9AT

20 July 1992

Dear Alex,

file

Precedence of MEPs on Royal Visits to the Counties

Colin Walters wrote to Andrew Turnbull on 11 May with draft guidance which would confer an order of precedence on Members of the European Parliament on Royal visits to the counties.

I am writing to advise you that, following the agreement of the Prime Minister and other colleagues, the guidance was approved by The Queen and, on 9 July, was issued by the Home Office to the Association of Lord Lieutenants, copied to the Local Authority Association. The main Opposition Parties were informed by the Home Secretary in advance.

The guidance was issued as drafted but I will be happy to provide further copies if that would be helpful.

I am copying this letter to the Private Secretaries to other members of the Cabinet, the Leaders of both Houses and the Chief Whip, and Sonia Phippard (Cabinet Office).

Yours ever

MISS L M HELLMUTH

Alex Allen, Esq.
No 10 Downing Street
LONDON, S.W.1.

QUEEN: procedure for m&P's Dec '82

Home Office
100 Victoria Street
London SW1E 6JW

12/15/82

COMMISSION





ST ANDREW'S HOUSE
EDINBURGH EH1 3DG

Colin Walters Esq
Private Secretary to the Home Secretary
Home Office
Queen Anne's Gate
LONDON
SW1H 9ET

file

16 June 1992

Dear Colin,

PRECEDENCE OF MEPs ON ROYAL VISITS

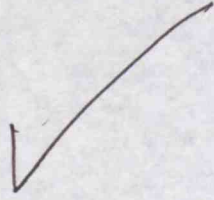
Thank you for sending me a copy of your letter of 11 May to Andrew Turnbull enclosing the draft guidance on precedence for MEPs on Royal visits. My Secretary of State is entirely content with the proposals. You will wish to note, however, the correct spelling of the Duke of Buccleuch and Queensberry's title.

I am copying this letter to the Private Secretaries to other Members of the Cabinet, the Leaders of Both Houses and the Chief Whips, and to Sonia Phippard (Cabinet Office).

Yours sincerely,
Alan

ALAN FRASER
Private Secretary

QUEEN: Procedure for
M&P Dec 82



From: THE PRIVATE SECRETARY



HOME OFFICE
QUEEN ANNE'S GATE
LONDON SW1H 9AT

4 June 1992

Dear Murdo,

Precedence of MEPs

The Home Secretary met with Sir Marcus Fox on Wednesday night to discuss this matter.

Sir Marcus advised the Home Secretary that he was entirely content with the proposals regarding the issue of guidance of the precedence of MEPs in Royal visits to the counties.

I am copying this letter to ~~Alex Allen~~ (No 10), Tim Sutton (Lord President's Office) and Sonia Phippard (Cabinet Office)

ly — Hellmuth.

MISS L M HELLMUTH

Murdo Maclean, Esq.
Chief Whip's Office
No 12 Downing Street
LONDON, S.W.1.

04.07
11.12.92
PM 92

The Rt. Hon. Michael Heseltine MP
President of the Board of Trade



Secretary of State
Department of
Trade and Industry

Ashdown House
123 Victoria Street
London SW1E 6RB

Direct line
071-215 4440

DTI Enquiries
071-215 5000

Colin Walters Esq
Principal Private Secretary
to the Secretary of State
The Home Office
Queen Anne's Gate
LONDON
SW1H 9AT

28 May 1992

Dear Colin,

He

PRECEDENCE OF MEPS ON ROYAL VISITS TO COUNTIES

at hand
You copied to all Private Secretaries to Cabinet Ministers -
under cover of your letter of 11 May to Andrew Turnbull - the
letter drafted for Sir Clive Whitmore to send to the Duke of
Buccleuch and Queensbury.

This Department is content with the proposal.

Copies go to the recipients of your letter.

yours
Elizabeth

ELIZABETH JONES
Private Secretary

PE5311



QUEEN: MERS Dec 82

FROM THE PRIVATE SECRETARY

SPU



HOUSE OF LORDS,
LONDON SW1A 0PW

22 May 1992

Colin Walters Esq
Private Secretary to the
Home Secretary
Home Office
Queen Anne's Gate
LONDON
SW1H 9AT

file

Dear Colin,

ppp

PRECEDENCE OF MEPS ON ROYAL VISITS TO THE COUNTIES

You wrote to Andrew Turnbull on 11 May enclosing draft guidance which would confer an offer of precedence on Members of the European Parliament on Royal Visits to the Counties. The Lord Chancellor is entirely content that the Home Secretary should invite the Queen to agree the issuing of this guidance.

I am copying this letter to the Private Secretaries to other Members of the Cabinet, the Leaders of both Houses and the Chief Whips, and to Sonia Phippard (Cabinet Office).

Yours etc

Jey

Miss J Rowe

QUEEN: MEPS DEC 82





FILE

KK

bc PC

10 DOWNING STREET
LONDON SW1A 2AA

From the Private Secretary

22 May 1992

Dear Colin,

PRECEDENCE OF MEPs ON ROYAL VISITS TO THE COUNTIES

Thank you for your letter of 11 May to Andrew Turnbull.

The Prime Minister has read your letter and agrees with the proposed precedence for MEPs.

I am copying this letter to the Private Secretaries to Members of the Cabinet, the Leaders of both Houses and the Chief Whips, and to Sonia Phippard (Cabinet Office).

Yours,

J. S. Wall

(J. S. WALL)

Colin Walters, Esq.,
Home Office.



Ministry of Agriculture, Fisheries and Food
Whitehall Place, London SW1A 2HH
01-270 8709/8667

GC

From the Minister's Private Office

C J Walters Esq
Principal Private Secretary to
The Home Secretary
Queen Anne's Gate
London
SW1 9AT

22 May 1992

Dear Colin

PRECEDENCE OF MEPS ON ROYAL VISITS TO THE COUNTIES

Thank you for copying to me your letter of 11 May to Andrew Turnbull in which the Home Secretary sought the views of colleagues on the proposal that The Queen should be invited to agree to guidance being issued which would confer an order of precedence for MEPS on Royal Visits to the Counties.

My Minister fully supports the proposal. He is also content with the guidance set out in the draft letter to the Association of Lord Lieutenants.

I am copying this letter to the Private Secretaries to other members of the Cabinet; the Leaders of both Houses and the Chief Whips; and to Sonia Phippard (Cabinet Office).

Yours sincerely

David JC

DAVID ROSSINGTON
Principal Private Secretary

copy etc

QUEEN : MEPS

Dec '82



Government Chief Whip
12 Downing Street, London SW1A 2AA

From the Private Secretary

13 May 1992

Dear Colin,

PRECEDENCE OF MEPS ON ROYAL VISITS TO THE COUNTIES

Thank you for sending me a copy of your letter of 11 May 1992 to Andrew Turnbull.

The Chief Whip has seen this and has asked if the Home Secretary would consult Cranley Onslow MP about this as soon as possible. This is just the sort of issue to arouse strong objections in the 1922 Executive.

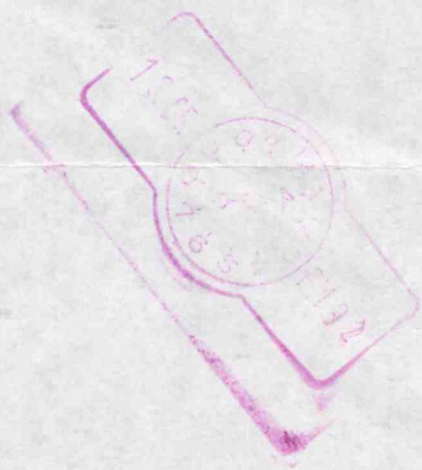
I am sending a copy of this letter to Alex Allen (No.10), Tim Sutton (Lord President's Office) and Sonia Phippard (Cabinet Office).

Yours,

Murdo

MURDO MACLEAN

C J Walters Esq
Private Secretary to the
Home Secretary
Home Office
Queen Anne's Gate
London SW1H 9AT





Prime Minister (1)

HOME OFFICE
QUEEN ANNE'S GATE
LONDON SW1H 9AT

11 May 1992

*This would include MEPs in the
line-up for Royal visits to the
Counties, immediately after MPs. Seems sensible.*

Stephen.

Dear Andrew

Stephen

PRECEDENCE OF MEPS ON ROYAL VISITS TO THE COUNTIES

2dv

The Home Secretary would be grateful to know if the Prime Minister, and his colleagues to whose Private Secretaries I am copying this letter, are content that he should invite The Queen to agree to the issuing of guidance which would confer an order of precedence on Members of the European Parliament (MEPs) on Royal Visits to the Counties - the local MEP would be presented after the MP - and which would advise on inviting MEPS to such occasions.

... Draft guidance is attached at A, in the form of a Memorandum and covering letter from the Permanent Under Secretary here to the Chairman of the Association of Lord Lieutenants.

These drafts have been cleared at official level with the Cabinet Office, FCO, the territorial Departments and DOE - and, unofficially, with Sir Robert Fellowes.

The practices which guidance as attached would effect are, we understand, already adopted ad hoc by some Lord Lieutenants, and take into account that MEPS are already invited to State occasions. The guidance may, however, appear to settle some additional status on MEPS. Given the possible sensitivity of MEPS and MPs generally about matters concerning the Westminster and European Parliaments, we have considered whether the Opposition Parties in both Houses need be consulted. If the issue of guidance is agreed, the Home Secretary suggests that, to avoid inflating the importance of the issue, there might be a case for informing, rather than consulting, the Leaders of the main Opposition Parties, when The Queen's consent has been obtained but before the letter and Memorandum go to the Association of Lord Lieutenants.

The initiative for guidance on inviting and presenting MEPS on Royal occasions comes from MEPS. On different occasions last year, Lord Bethell, in his own capacity as an MEP and on behalf of the Chairman of the European Democratic Group, raised it with the Palace, No 10, the then Home Secretary and the Chairman of the Association of Lord Lieutenants. As a result, FCO already now include MEPS in their suggested guest lists for State and formal occasions. Mr Baker therefore undertook to Lord Bethell, and to Sir Robert Fellowes, to consider sympathetically the possibility of issuing guidance as to Royal visits within the United Kingdom.

Andrew Turnbull Esq, CB
10 Downing Street
London SW1

The Home Secretary's particular role in this matter is in advising The Queen on the question of precedence involved: the conferment of precedence is a Prerogative matter. You will see from the note on precedence at Annex B that previously this century we have advised The Queen on precedence only in the sense of a relative order of those formally to be presented, and not also as determining entitlement to presentation or, therefore, to invitation.

But the list - eg Chairman of District Council, District Chief Executive, MP, Chief Constable - in the Memorandum of 1988 attached to the note at B, has become employed, by the Palace among others, also as a list of those entitled to be invited so that they may be presented. This has not mattered hitherto, since all the elective and appointive offices listed in the Memorandum have a settled, local territorial status in the United Kingdom. It is, for example, uncontroversial to invite to a Royal occasion the local authority Chairman or Mayor or MP. But since the 1988 Memorandum omits MEPs, the Palace do not include them in, as they put it, "the initial line up of those who have the right to meet The Queen and senior members of the Royal family on arrival on a provincial visit".

There is no question of attempting to accord MEPs a place of precedence in the general table of precedence for England and Wales. As the note at Annex B explains, the table is of variable authority, internally inconsistent, and incomplete: most obviously, it does not include Westminster MPs.

The Home Office has no particular responsibility for the status of MEPs or relations with them. However, taking the 1988 Memorandum as our scope, and subject to colleagues' views, the Home Secretary considers that, now that the question has to be answered, it will be right for MEPs to be presented at official royal visits to the provinces. The importance of the Community for our national life is well established; the role and powers of MEPs in the Community are enhanced by the Union Treaty; and the importance of the European Parliament will be marked by The Queen's visit there on 12 May. And as MEPs are elected by and represent their constituencies in matters affecting the United Kingdom which go before the European Parliament, they obviously have a locus in these constituencies.

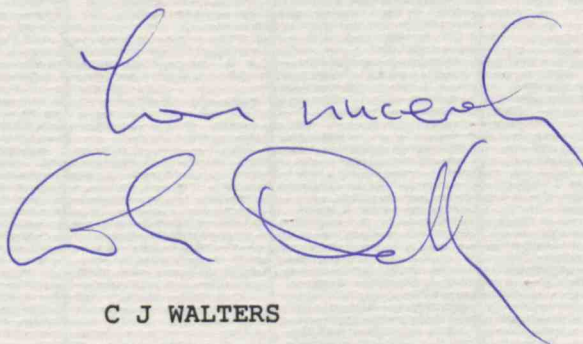
As to the order of precedence, it would seem natural to group the Parliamentarians, and correct for the MEP to follow the MP. Again, there are no rules on this. But it seems natural to assert a domestic national superiority of Westminster over the European Parliament, and the local superiority of the MP over the MEP. That should also soothe MPs' sensitivities, such as they may be, to according MEPs an effective right of presentation on Royal visits.

Issuing guidance that MEPs are entitled formally to be presented to a Royal visit will lead to their being invited to provincial events involving Royalty more often than hitherto. This could create a problem of "over invitation" of MEPs compared to MPs, given the comparative size of each euro-constituency to each Westminster constituency. The draft letter and Memorandum at Annex A try to cater for this as far as possible.

The effect of the Memorandum would be that the local MEP would be invited whenever an official Royal visit entailed a formal presentation of those also listed in the 1988 Memorandum, by the Lord Lieutenant to the Royal visitor, usually on the Royal visitor's arrival. We do not think that the entitlement of the MEP to be invited for that one presentation can be limited, for example by suggesting that the MEP be so invited only where the visit has some evident Community connection or purpose. Such visits are territorial, and it could be contentious to try to maintain that the local MEP has no interest in such an area. The MP's sensitivities at this point would be catered for by placing the MEP lower in the order of presentation.

It is the draft letter of guidance which seeks to minimise comparative over-presentation or over-invitation of MEPs. The draft advises that the MEP need not be presented formally more than once on each visit, whereas, on a visit covering more than one United Kingdom constituency, the local MP of each constituency is often presented formally on the Royal visitor's arrival there; that, where no formal presentation of the MEP would arise at an event, invitations to the MEP might be focused on those events with an evident Community dimension; and that whenever the MEP is invited, the MP should be too.

I am copying this letter and the attached Annexes to the Private Secretaries to other members of the Cabinet; the Leaders of both Houses and the Chief Whips; and to Sonia Phippard (Cabinet Office).

A handwritten signature in blue ink, appearing to read 'C J Walters', with a large, stylized flourish below it.

C J WALTERS

LETTER DRAFTED FOR SIGNATURE BY SIR CLIVE WHITMORE

The Duke of Buccleuch and Queensbury
Chairman
Association of Lord Lieutenants
House of Lords
LONDON SW1A 0PW

ROYAL VISITS TO A COUNTY: PRECEDENCE OF MEMBERS OF THE EUROPEAN PARLIAMENT AND INVITATIONS TO THEM

From time to time, questions are raised about the precedence of Members of the European Parliament (MEPs) at Royal visits to the Counties, and about inviting MEPs to events to which such visits are made. The purposes of this letter are -

to make known the ruling of Her Majesty The Queen on the question of precedence, which is set out definitively in the attached Memorandum; and

to offer advice on providing for the presentation of MEPs to Royal visitors, and guidance on inviting MEPs to events visited by them.

The European Parliament and MEPs

2. The European Parliament formally became known as such in the United Kingdom on the coming into force of the Single European Act 1987, which replaced the previous designation, of European Assembly. For background information, enclosed with this letter is a summary of the role and powers of the European Parliament.

3. There are seventy MEPs for England and Wales (and a total of eighty-one for the United Kingdom as a whole). Each MEP represents, in the European Parliament, a constituency comprising on average eight United Kingdom Parliamentary constituencies.

4. The formal responsibilities of MEPs are confined to European Community matters. But the impact on member countries of the Community of laws and other decisions adopted at Community level has increased significantly and can be expected to continue to do so: and in many areas of activity and policy domestic and European Community considerations are inter-related.

Precedence of the Local Member of the European Parliament on an official Royal visit

5. The attached Memorandum sets out definitively the ruling of Her Majesty The Queen that, in the order of formal presentation on the occasion of an official Royal visit to a County, She wishes to receive the Member of the European Parliament immediately following the Member of Parliament.

6. The attached Memorandum also annexes a copy of an earlier Memorandum, of July 1988. The relationship between the two is that, where the order of presentation is as listed in the Memorandum of July 1988, the MEP (and spouse) are to be presented immediately following the MP (and spouse), before the Chief Constable and spouse. The Memorandum of July 1988 is not varied in any other respect. The attached Memorandum is being made known by means of this letter, rather than by a circular to Chief Executives, in part because the Memorandum is not concerned with the relative precedence of local government Chairmen or Mayors, which was the principal subject of the Memorandum of July 1988.

Arrangements for the presentation of the MEP

7. In light of the attached Memorandum, Lord Lieutenants will wish to seek to arrange that the local MEP is invited to be present on the occasion of an official Royal visit, to be included in the formal order of presentation.

8. On some official Royal visits more than one formal presentation may be made. For example, where a single visit includes a number of Districts or United Kingdom Parliamentary constituencies, there may be a formal presentation to the Royal visitor on arrival in the County, and then other such presentations at each other place, where

the representative local District Chairman or Mayor, local District Chief Executive and local Member of Parliament will be presented. We understand that the common practice on such visits is for those once formally presented, for example the Chairman of the County Council or the Chief Constable, not so to be presented again during the visit, although they may, of course, meet the Royal visitor informally then. It will, evidently, be appropriate to apply this practice for the formal presentation of the local MEP.

Invitations to MEPs to events involving Royalty

9. Because of the variety of forms which Royal visits to the Counties, both official and less formal, may take, it is neither practicable nor sensible to attempt to offer comprehensive guidance on the events in such visits to which MEPs might be invited other than where they are to be placed in the formal order of presentation. It is, of course, also ultimately for the hosts of events to determine whom to invite to them.

10. In advising hosts on the matter, Lord Lieutenants may, however, wish to suggest that, because MEPs represent very large constituencies, it may be advisable to exercise some discretion in issuing invitations to them, lest they be embarrassed by the number they receive and are obliged, for example because of the necessity for them to attend the business of the European Parliament, to decline them. Where an extensive official Royal visit involves a number of events, it may therefore be advisable to focus invitations to MEPs on events which have some direct relationship to the operation of the European Community, for example where premises are to be opened to which a Community contribution has been made.

11. There are also public Royal visits to the Counties for events which are unofficial, in the sense that no formal presentation to the Royal visitor by the Lord Lieutenant of those accorded precedence by the attached Memoranda is made during the visit, but where local dignitaries may be invited to the event. Lord Lieutenants may wish to advise hosts considering inviting the local MEP to such an event according to the preceding paragraph of this letter.

12. It will, naturally, remain desirable for active consideration to be given to inviting the local MP to all events to which Royal visits are made.

13. The Home Secretary will be grateful if the contents of this letter, and the attached Memorandum, are made known to all those whom they may concern, including those represented by those to whom it is being copied. The guidance in this letter applies to England, Wales and Scotland. Royal visits in Northern Ireland are governed by separate arrangements.

14. I am copying this letter to:

The Association of County Councils
The Association of District Councils
The Association of London Authorities
The Association of Metropolitan Authorities
Council of Isles of Scilly
The London Boroughs Association
The Society of Local Authority Chief Executives
Town Clerk, City of London

DRAFT

ROYAL VISITS TO A COUNTY

MEMORANDUM AS TO PRECEDENCE

From time to time the question is raised as to the precedence to be accorded to the Member of the European Parliament on the occasion of an official Royal visit to a County, and the present memorandum has been prepared by the Secretary of State for the Home Department to make known the wishes of Her Majesty The Queen.

It is Her Majesty's wish that on an official Royal visit to a County, the order of precedence should place the Member of the European Parliament immediately following the Member of Parliament. On such an occasion the relevant part of the order of presentation by the Lord Lieutenant to the Royal visitor, that is following the presentation of the District Chief Executive and spouse, will normally be -

Member of Parliament and spouse

Member of the European Parliament and spouse

Chief Constable and spouse.

Her Majesty The Queen has ruled that these arrangements should apply also to official visits made by Her Majesty Queen Elizabeth The Queen Mother and those members of the Royal Family styled His or Her Royal Highness and their spouses.

This memorandum constitutes a definitive ruling of the Sovereign upon a matter which directly belongs to the Royal Prerogative.

This memorandum is to be read as supplementing the order of presentation in the memorandum issued in July 1988 by the Secretary of State for the Home Department, a copy of which is annexed.

NOTE SUMMARISING THE ROLE AND POWERS OF THE EUROPEAN PARLIAMENT

Current Position

1. The European Parliament (EP) is a directly elected body of 518 Members 81 of whom are from the United Kingdom. The European Community Treaties give it certain legislative and non-legislative functions.

2. Legislative functions: EC law is adopted by the Council of Ministers, but the EP is in most cases involved in its formulation through various different procedures. The main ones are:

- consultation (the EP is consulted on the original proposal for a law);
- co-operation (the EP in addition has the opportunity to propose amendments after the Council has arrived at a common position on the text).

3. Non-Legislative functions: the Community's budget is adopted jointly by the Council and the EP; the EP may call the Commission to account for its execution of the budget; EP assent is required for the admission of new member countries and the conclusion of certain international agreements; and the EP may, by vote of censure, dismiss the whole College of Commissioners (but not individual Commissioners).

4. In addition the EP exercises general influence on EC affairs through holding debates, adopting resolutions, instituting enquiries, publishing reports, etc.

Additional functions conferred by the Treaty on European Union

5. The Treaty on European Union, signed at Maastricht in February 1992, will enter into force in January 1993 if ratified by all EC member states.

6. The Treaty adds to the EP's legislative functions by

- extending the scope of the co-operation procedure;
- introducing a new negative assent procedure whereby the EP will, in certain areas, be able to reject legislation adopted by the Council;
- requiring the positive assent of the EP to a limited category of decisions.

7. In non-legislative matters the Treaty

- makes EP assent necessary for the appointment of the Commission;
- formalises the EP's right to set up Committees of Inquiry into alleged contraventions of Community law and the right of EC citizens to petition the EP;
- provides for the EP to appoint an Ombudsman to investigate complaints of maladministration by Community institutions or bodies.

NOTE ON PRECEDENCE

The Constitutional Rule

The constitutional rule on the subject of precedence is described by Halsbury thus: "The Sovereign enjoys the sole right of conferring all titles of honour, dignities, and precedences and no subject can acquire a new title or dignity except by grant from the Crown, unless it be conferred by Act of Parliament, or acquired by marriage (in the case of a female) or obtained by prescription, which however presupposes a lost grant."

The existing Table of Precedence

2. In England and Wales, unlike the other parts of the UK the Sovereign has never made any systematic use of his prerogative powers of regulating precedence. The existing Table of Precedence in Debrett's Correct Form (which is generally accepted and followed, both officially and by the public generally) has never been enacted as a whole by the Sovereign or any competent authority. Parts of it are laid down by an Act or King Henry VIII, and some persons have been granted their precedence by Specific Royal Warrants; but a great part of the Table rests on no authority other than ancient custom and social usage. The position is the same as in the matter of titles and dignities; the Crown accepts and recognises genuinely ancient customary privileges but no new title or precedence can be acquired without an express grant from the Sovereign as the fountain of honour. The result is an unsystematic patchwork, consisting of an ancient body with a few modifications in detail introduced to meet special cases as they turned up, and it naturally contains anomalies. Some high offices, such as those of the Lord Privy Seal and the Lord President of the Council have a position which reflects their rank in the sixteenth century rather than their importance today; Archbishops and Bishops come very high in the Table of Precedence for men, while their wives have no position at all in the corresponding Table for women; and generally the fact that position in the Table is governed in some cases by social rank and on others by official dignity does not make for consistency.

3. In these circumstances the attitude of the Home Office has been for many years that piecemeal alterations in the Table should not be made except when that is absolutely unavoidable until - if the time ever comes - it should be possible to revise the Table systematically and as a whole. In 1924 we favoured undertaking a thorough revision, and suggested the appointment of a small Committee for the purpose. But the suggestion was not received with favour. Since then, the Department has been disinclined to undertake such an exercise and that remains our position. Practical experience in connection with the preparation of the Table for Northern Ireland and with the assignment of suitable places in the English Table to the Prime Ministers and High Commissioners of the Commonwealth has shown how arduous and complicated such an undertaking would be, and how many difficult and delicate questions it would raise.

Extant Home Office Guidance

4. In this century, the Home Office has twice issued memoranda communicating the Sovereign's wishes in matters of precedence. In both instances, the question determined was the order in which people present are to be ranked (eg for presentation to a member of the Royal Family). A circular issued in 1988 (copy at X attached) was concerned with "the relative precedence of the Chairman of the District Council (or Mayor) and the Chairman of the County Council." A memorandum issued in 1924 (copy at Y attached) dealt with "questions as to the relative precedence within the limits of a city or municipal borough of the Mayor (or Lord Mayor) ... and the Lord Lieutenant of the County."

Meaning of Precedence

5. For an office to be accorded a place of precedence does not necessarily entitle or oblige the holder of the office to be invited to or to attend a particular occasion. It will be noted that the two attached Home Office memoranda are silent on entitlement to be present, dealing only with the order in which those who are present are to be ranked. In practice, these two aspects have often become combined. The order of precedence for those invited to an event will to some extent determine who is invited. And the offices in relation to which the Home Office has made known the

Sovereign's wishes as to their relative precedence had a prior, established, domestic territorial locus (eg constituency, borough or country) which makes it natural and uncontroversial that they should be candidates for invitation to events involving Royalty in the locality.



X

HOME OFFICE
Queen Anne's Gate, LONDON, SW1H 9AT
Direct line:
Switchboard: 01-273 3000

Our reference: HON/88 168/1/1

Your reference:

The Chief Executive: County Councils in England and Wales
District Councils in England and Wales

HOME OFFICE CIRCULAR NO 63/1988

ROYAL VISITS TO A COUNTY : PRECEDENCE

Sir

The question of the relative precedence of the Chairman of the District Council (or Mayor) and the Chairman of the County Council during Royal visits has been raised from time to time. In 1977, Her Majesty The Queen made known, in connection with the series of Royal visits to counties in that Jubilee Year, that She wished to receive the Chairman of the County Council before the Chairman of the District Council.

This ruling is set out definitively in the attached Memorandum, which should be read in conjunction with the memorandum of January 1928 which is also attached. It is subject to the single qualification that where a purely district matter is the purpose of the Royal Visit, the Chairman of the District Council or Mayor should take precedence over the Chairman of the County Council. In cases of doubt about the exact distinction between County and District events, those responsible for making arrangements for the visit will no doubt wish to consult the Lord-Lieutenant.

The Home Secretary would be grateful if recipients of this Circular would make its contents known to all whom it may concern.

Clive Whitmore

SIR CLIVE WHITMORE
29 July 1988

Copies for information :

The Association of County Councils
The Association of District Councils
The Association of London Authorities
The Association of Lieutenants of Counties
The Association of Metropolitan Authorities
Council of the Isles of Scilly
The London Boroughs Association
The Society of Local Authority Chief Executives
Town Clerk, City of London

ROYAL VISITS TO A COUNTY
MEMORANDUM AS TO PRECEDENCE

From time to time questions are raised as to the relative precedence within a district of the Chairman of the District Council and the Chairman of the County Council and the present memorandum has been prepared by the Secretary of State for the Home Department to make known the wishes of Her Majesty The Queen.

Section 3(4) of the Local Government Act 1972 established the precedence to be enjoyed by Chairmen of District Councils but that enactment does not prejudicially affect the exercise of the Royal Prerogative. Where a District matter is the purpose of a Royal visit to a County, the Chairman of the District Council or Mayor will take precedence as provided in that section. Her Majesty has, however, made it clear that on other official Royal visits to a County the order of precedence should place the Chairman of the County Council before the Chairman of the District Council or Mayor. On such an occasion the order of presentation by the Lord-Lieutenant to the Royal visitor will normally be -

- Lord-Lieutenant's spouse
- High Sheriff and spouse
- Chairman of County Council and spouse
- County Chief Executive and spouse
- Chairman of District Council and spouse
- District Chief Executive and spouse
- Member of Parliament and spouse
- Chief Constable and spouse

After these presentations, the Lord-Lieutenant will present the principal organiser of the event to which the visit is being made and other necessary presentations may be deputed to the organiser.

Her Majesty The Queen has ruled that these arrangements should apply also to official visits made by Her Majesty Queen Elizabeth The Queen Mother and those members of the Royal Family styled His or Her Royal Highness and their spouses.

This memorandum is to be read as supplementing the memorandum issued in January 1928 by the Secretary of State for the Home Department, a copy of which is annexed, and constitutes a definite ruling of the Sovereign upon a matter which directly belongs to the Royal Prerogative. The Secretary of State hopes that once this is clearly understood there will be an end of the difficulties and misunderstandings which have arisen on this point in the past.



HIS MAJESTY'S LIEUTENANTS AND SHERIFFS OF COUNTIES, LORD
MAYORS, AND MAYORS.

MEMORANDUM AS TO PRECEDENCE.

From time to time questions are raised as to the relative precedence within the limits of a city or municipal borough of the Mayor (or Lord Mayor) of the city or borough and the Lord Lieutenant of the County in which the city or borough is situated, and the present memorandum has been prepared by the Secretary of State for the Home Department to make known the position, which was determined some years ago by a ruling of His late Majesty King Edward the Seventh given after full consideration by the Law Officers of the Crown of the legal questions involved.

The doubts which have arisen on the subject have been due to the provisions of section 15 (5) of the Municipal Corporations Act, 1882, which provides that the Mayor "shall, subject to the provisions of this Act respecting Justices have precedence in all places in the borough." The point to be determined was as to the correct interpretation of the words of this section. In this connection it had to be borne in mind:—

(1) that it is expressly laid down by statute (31 Henry VIII, cap. 10) that the determination of precedence is a matter for the Royal Prerogative;

(2) that section 15 of the Municipal Corporations Act is subject to section 259 of the same Act, which contains an express saving for the Prerogative;

(3) that the Sovereign has in fact on various occasions given order that certain personages should have precedence of Lord Lieutenants, High Sheriffs, and Mayors within their respective jurisdiction; and

(4) that His Majesty's Lieutenant by virtue of his commission is expressly appointed to represent the King in all cities and boroughs within the County.

The question was submitted to the Law Officers of the Crown for their advice on the legal question involved and they advised that the social precedence conferred on the Mayor by section 15 (5) must not be read as conferring upon him

precedence over those who, like the Lord Lieutenant, directly represent the Crown, and that in any case His Majesty had power to deal with the matter by Royal Warrant.

They added, however, that social precedence has no bearing upon the question who should preside at City functions. At any banquet given by the Borough the Mayor will naturally take the chair as representing the hosts. In the same way, at any meeting of the citizens the Mayor will take the chair if the meeting has been summoned by him as Mayor. At public meetings not so summoned the Lord Lieutenant takes precedence over the Mayor, but the chair may be occupied by any one selected by the Meeting for the purpose.

The foregoing opinion was submitted to and approved by His late Majesty King Edward and His approval, which has been affirmed by His present Majesty, constitutes a definite ruling of the Sovereign upon a matter which directly belongs to the Royal Prerogative. The Secretary of State hopes that once this is clearly understood there will be an end of the difficulties and misunderstandings which have arisen on this point in the past.

By a Royal Warrant of 1904 His late Majesty King Edward laid it down that Lord Lieutenants within their jurisdiction took precedence of the Sheriff of the County. The Sheriff being thus placed next to the Lord Lieutenant is entitled to take precedence of the Mayor or Lord Mayor of a Borough in his jurisdiction even within the Borough limits unless the occasion is one on which the municipal business of the Borough alone is concerned, in which case the Mayor takes precedence.

Home Office.

January, 1928.



JEN/L/4/5/31895

NORTHERN IRELAND OFFICE

WHITEHALL

LONDON SW1A 2AZ

Tel: 071-210 6459

Permanent Under-Secretary of State
John A. Chilcot CB

K D Sutton Esq
Private Secretary to Sir Clive Whitmore
Home Office
50 Queen Anne's Gate
London SW1H 9AT

2 April 1992

Dear Ken,

**ROYAL VISITS TO COUNTIES:
PRECEDENCE OF MEPS AND INVITATIONS TO THEM**

Thank you for copying your letter of 17 March on this subject to me for comment. *all request if approved*

As you might expect, what the Home Office is proposing by inviting MEPs to Royal engagements would present particular difficulties in Northern Ireland, where the three MEPs are elected by proportional representation. As such all three may regard the whole of Northern Ireland as their "Euro constituency" and we feel that it would not be realistic automatically to invite all three, plus their spouses, to all Royal engagements in the Province. To do so could result in a "Euro" line-up equal to and even on occasions exceeding the local protocol line-up.

A further complication is that two of the three MEPs are also Westminster MPs and would therefore take precedence over their other colleagues at events in their Westminster constituencies.

What we would propose to do in Northern Ireland is to ask organisers of the various events at which a member of the Royal Family will be present to consider inviting all three MEPs. When any of the three are present at such an occasion we will ensure that they are presented after the MP and spouse. If more than one were to be present, we shall have to devise a local scale of precedence to cover this eventuality. Otherwise we see no difficulty in introducing the MEP after the MP.

I am copying this letter to Sonia Mippard and to copy recipients of your letter.

Yours,

Tony Beeton

TONY BEETON
PRIVATE SECRETARY

For pol: State Disub

p07



PERMANENT UNDER-SECRETARY OF STATE
SIR CLIVE WHITMORE GCB CVO

File

*No comments
AM 1413*

*JR Cotton b 200
2 Bedline M*

HOME OFFICE
QUEEN ANNE'S GATE
LONDON SW1H 9AT

TEMPORARILY RETAINED 17 March 1992

THIS IS A COPY. THE ORIGINAL IS
RETAINED UNDER SECTION 3 (4)
OF THE PUBLIC RECORDS ACT

Dear Sonia

ROYAL VISITS TO COUNTIES: PRECEDENCE OF MEPs AND INVITATIONS TO THEM

Granted that this small question cannot now be decided by Ministers until after the Election, the purpose of this letter is to initiate clearance at official level to prepare the way for Ministers. The Queen visits the European Parliament on 12 May and, if this question is not resolved by then, there is the possibility that embarrassment may be caused by an MEP's seeking to raise it with Her.

On different occasions last year, Lord Bethell, in his own capacity as a Member of the European Parliament (MEP) and on behalf of Sir Christopher Prout, MEP, Chairman of the European Democratic Group, approached No 10, the Home Secretary and the Chairman of the Association of Lord Lieutenants on the questions of local MEPs being invited to attend functions in their euroconstituencies at which Royal visitors were present, and of the precedence to be afforded to MEPs at such functions. We understand that, following an approach from Lord Bethell to Sir Robert, and in turn one from him to No 10, the FCO already now include MEPs in their suggested guest lists for State and formal occasions. The Home Secretary has therefore undertaken to Lord Bethell to have the possibility of issuing guidance considered sympathetically,

Draft guidance, in the form of a draft Memorandum and covering letter for Sir Clive Whitmore's signature, is enclosed as Annex A to this letter. Sir Clive would be grateful for any views which Sir Robin Butler, and the Permanent Secretaries to whose Private Secretaries I am copying this, may have on the policy underlying the drafts, on their terms, and on the remaining steps to be taken before any such guidance should issue. It will be desirable, if possible, for this to be settled well before The Queen visits the European Parliament, on 12 May. It will, therefore, be very helpful to have replies to this letter by [one week from its date].

Strictly, the role of the Home Secretary and the Home Office in this is confined to advising The Queen on the question of precedence: the conferment of precedence is a Prerogative matter. I enclose a note on precedence, at Annex B. You will see from that that previously, certainly in this century, we have advised The Queen on precedence only in the sense of the relative order of presentation of those formally to be presented to a Royal visitor on an official, provincial visit, ie not also as determining who should - or should not - be entitled so to be presented or, therefore, invited to the occasion.



We understand, however, that the list - eg Chairman of District Council, District Chief Executive, MP, Chief Constable - in the Memorandum of 1988 attached to the note at B, has become employed, by the Palace among others, also as a guest list, ie of those entitled to be invited so that they may be presented. This has not mattered hitherto, since all the elective and appointive offices listed in the Memorandum have a settled local territorial status in the UK. It is, for example, uncontroversial to invite to a provincial Royal occasion the local authority Chairman or Mayor or MP. But, relying on the 1988 Memorandum, the Palace do not include MEPs in, as they put it, "the initial line up of those who have the right to meet The Queen and senior members of the Royal family on arrival on a provincial visit."

The Home Office has, of course, no particular responsibility for the status of MEPs or for relations with them. But we understand that MEPs have not been accorded any agreed domestic UK status rooted in UK territory. Indeed, Cabinet Office guidance (EQO (Guidance)(88)11) states that MEPs have no locus in respect of exclusively domestic UK matters. Any guidance on a right of presentation and order of precedence at Royal visits being accorded to MEPs, and on MEPs being invited to provincial Royal events, may appear to settle some additional status on MEPs.

Sir Clive believes that the Home Secretary will, therefore, wish to consult his colleagues on this before formally submitting advice to The Queen. The means would be a letter from the Home Secretary's Private Secretary to No 10, copied to the Private Secretaries to the other members of the Cabinet concerned and to the leaders of both Houses and the Chief Whips. Sir Clive would be grateful to know if Sir Robin Butler agrees.

There is also the question whether, given the possible sensitivity of MPs and Peers generally about a matter concerning the Westminster and European Parliaments, the Opposition in both Houses need be consulted. Subject to Sir Robin's advice, our preference would be to do without this, to avoid delay and inflating the importance of the question.

There is no question of attempting to accord MEPs a place of precedence in the general Table of Precedence for England and Wales. As the note at Annex B explains, the Table is of variable authority, internally inconsistent in its principles, and in some respects incomplete: most pertinently, it does not include Westminster MPs.

Taking the 1988 Memorandum as our scope, the questions therefore are whether MEPs should be entitled to be presented at official Royal visits to the provinces and, if so, what their order of precedence should be. In our view, now that the question has to be answered, it seems right that MEPs should be presented then. The importance of the Community for our national life is well established; the role and powers of MEPs in the Community are enhanced by the Union Treaty; and the importance of the European Parliament will be marked by The Queen's visit there in May. And the increasing interrelatedness of our Community and internal national business and interests, and the election of MEPs by universal domestic suffrage, can be seen to give them considerable



status within the country as well as extraterritorially. Whilst there are no rules for measuring status and dignity for the purposes of precedence, it seems likely that it would be more generally accepted than not that the local MEP is in the same frame as, for example, the County Council chairman or Chief Constable.

As to the order of precedence, ie their order of presentation to a Royal visitor, it would seem natural to group the Parliamentarians, and correct for the MEP to follow the MP. Again, there are no rules on this. But it seems natural to assert a domestic national superiority of Westminster over the European Parliament, and the local superiority of the MP over the MEP. That should also soothe MPs' sensitivities, such as they may be, to according MEPs an effective right of presentation on Royal visits.

Issuing guidance that MPs are entitled formally to be presented to a Royal visitor would lead to their being invited to provincial events involving Royalty more often than hitherto. Lord Bethell has himself suggested that this might create a problem of "over invitation" of MEPs compared to MPs: because of the comparative size of each euro-constituency to each Westminster constituency, there will be more Royal visits to the former than to the latter. The draft letter and Memorandum at Annex A try to cater for this as far as possible.

The effect of the Memorandum would be that the local MEP would be invited whenever an official Royal visit entails a formal presentation of those also listed in the 1988 Memorandum, by the Lord Lieutenant to the Royal visitor, usually on the Royal visitor's arrival. We do not think that the entitlement of the MEP to be invited for that one presentation can be limited, for example by suggesting that the MEP be so invited only where the visit has some evident Community connection or purpose. Such visits have a territorial character, at least to the extent of a District, and it could be difficult and contentious to try to maintain that the local MEP has no interest in such an area. Nor does the 1988 Memorandum try to exclude the MP if the visit has no central government connection. The MP's sensitivities at this point in our proposals are catered for by placing the MEP lower in the order of presentation.

It is the draft letter of guidance which, self-explanatorily, seeks to minimise comparative over-presentation or over-invitation of MEPs. The draft advises that the MEP need not be presented formally more than once on each visit, whereas, on a visit covering more than one UK constituency, the local MP of each constituency is often presented formally on the Royal visitor's arrival there; that, where no formal presentation of the MEP would arise at an event, invitations to the MEP might be focused on those events with an evident Community dimension; and that whenever the MEP is invited, the MP should be too.

It seems potentially helpful to Lord Lieutenants for the draft letter, and the Note with it, to give some information about MEPs and the European Parliament. It will, however, be helpful to have views on the relevant terms of the draft letter (paragraphs 2-4), and the Note. In particular, should paragraph 4 of the letter be retained? That records that



MEPs have no locus in exclusively UK matters, in case the letter became known to MPs. But might it nonetheless be omitted for example if the 1988 EQO Guidance on which it relies has been overtaken, in spirit if not in the letter?

I am copying this letter and its enclosures to Tim Simmons (Foreign and Commonwealth Office), Alastair Wilson (Scottish Office), Peter Higgins (Welsh Office), Tony Beeton (Northern Ireland Office) and Bryony Houlden (Department of the Environment). In addition to making any other comment, those in the other territorial Departments may wish to say if they would need to take action in parallel to the plans for submitting and issuing a ruling and guidance as attached.

Copies also go, for his private information at this stage, to Sir Robert Fellowes and to Andrew Turnbull.

Yours sincerely

Klisa Blackshaw

PP K D Sutton
Private Secretary

Miss S C Phippard

LETTER DRAFTED FOR SIGNATURE BY SIR CLIVE WHITMORE

The Duke of Buccleuch and Queensbury
Chairman
Association of Lord Lieutenants
House of Lords
LONDON SW1A 0PW

ROYAL VISITS TO A COUNTY: PRECEDENCE OF MEMBERS OF THE EUROPEAN PARLIAMENT AND INVITATIONS TO THEM

From time to time, questions are raised about the precedence of Members of the European Parliament (MEPs) at Royal visits to the Counties, and about inviting MEPs to events to which such visits are made. The purposes of this letter are -

to make known the ruling of Her Majesty The Queen on the question of precedence, which is set out definitively in the attached Memorandum; and

to offer advice on providing for the presentation of MEPs to Royal visitors, and guidance on inviting MEPs to events visited by them.

The European Parliament and MEPs

2. The European Parliament formally became known as such in the United Kingdom on the coming into force of the Single European Act 1987, which replaced the previous designation, of European Assembly. For background information, enclosed with this letter is a summary of the role and powers of the European Parliament.

3. There are seventy MEPs for England and Wales (and a total of eighty-one for the United Kingdom as a whole). Each MEP represents, in the European Parliament, a constituency comprising on average eight United Kingdom Parliamentary constituencies.

[4. An MEP does not have a representative role in respect of exclusively domestic United Kingdom matters. But in many areas of activity and policy domestic and European Community considerations can be inter-related. For example, an MEP may reasonably seek to influence the attitude of the Government towards Community policies which could have effects within the United Kingdom.]

Precedence of the Local Member of the European Parliament on an official Royal visit

5. The attached Memorandum sets out definitively the ruling of Her Majesty The Queen that, in the order of formal presentation on the occasion of an official Royal visit to a County, She wishes to receive the Member of the European Parliament immediately following the Member of Parliament.

6. The attached Memorandum also annexes a copy of an earlier Memorandum, of July 1988. The relationship between the two is that, where the order of presentation is as listed in the Memorandum of July 1988, the MEP (and spouse) are to be presented immediately following the MP (and spouse), before the Chief Constable and spouse. The Memorandum of July 1988 is not varied in any other respect. The attached Memorandum is being made known by means of this letter, rather than by a circular to Chief Executives, in part because the Memorandum is not concerned with the relative precedence of local government Chairmen or Mayors, which was the principal subject of the Memorandum of July 1988.

Arrangements for the presentation of the MEP

7. In light of the attached Memorandum, Lord Lieutenants will wish to seek to arrange that the local MEP is invited to be present on the occasion of an official Royal visit, to be included in the formal order of presentation.

8. On some official Royal visits more than one formal presentation may be made. For example, where a single visit includes a number of Districts or United Kingdom Parliamentary constituencies, there may be a formal presentation to the Royal visitor on arrival in the County, and then other such presentations at each other place, where

The representative local District Chairman or Mayor, local District Chief Executive and local Member of Parliament will be presented. We understand that the common practice on such visits is for those once formally presented, for example the Chairman of the County Council or the Chief Constable, not so to be presented again during the visit, although they may, of course, meet the Royal visitor informally then. It will, evidently, be appropriate to apply this practice for the formal presentation of the local MEP.

Invitations to MEPs to events involving Royalty

9. Because of the variety of forms which Royal visits to the Counties, both official and less formal, may take, it is neither practicable nor sensible to attempt to offer comprehensive guidance on the events in such visits to which MEPs might be invited other than where they are to be placed in the formal order of presentation. It is, of course, also ultimately for the hosts of events to determine whom to invite to them.

10. In advising hosts on the matter, Lord Lieutenants may, however, wish to suggest that, because MEPs represent very large constituencies, it may be advisable to exercise some discretion in issuing invitations to them, lest they be embarrassed by the number they receive and are obliged, for example because of the necessity for them to attend the business of the European Parliament, to decline them. Where an extensive official Royal visit involves a number of events, it may therefore be advisable to focus invitations to MEPs on events which have some direct relationship to the operation of the European Community, for example where premises are to be opened to which a Community contribution has been made.

11. There are also public Royal visits to the Counties for events which are unofficial, in the sense that no formal presentation to the Royal visitor by the Lord Lieutenant of those accorded precedence by the attached Memoranda is made during the visit, but where local dignitaries may be invited to the event. Lord Lieutenants may wish to advise hosts considering inviting the local MEP to such an event according to the preceding paragraph of this letter.

12. It will, naturally, remain desirable for active consideration to be given to inviting the local MP to all events to which Royal visits are made.

13. The Home Secretary will be grateful if the contents of this letter, and the attached Memorandum, are made known to all those whom they may concern, including those represented by those to whom it is being copied.

14. I am copying this letter to:

The Association of County Councils
The Association of District Councils
The Association of London Authorities
The Association of Metropolitan Authorities
Council of Isles of Scilly
The London Boroughs Association
The Society of Local Authority Chief Executives
Town Clerk, City of London

DRAFT

ROYAL VISITS TO A COUNTY

MEMORANDUM AS TO PRECEDENCE

From time to time the question is raised as to the precedence to be accorded to the Member of the European Parliament on the occasion of an official Royal visit to a County, and the present memorandum has been prepared by the Secretary of State for the Home Department to make known the wishes of Her Majesty The Queen.

It is Her Majesty's wish that on an official Royal visit to a County, the order of precedence should place the Member of the European Parliament immediately following the Member of Parliament. On such an occasion the relevant part of the order of presentation by the Lord Lieutenant to the Royal visitor, that is following the presentation of the District Chief Executive and spouse, will normally be -

Member of Parliament and spouse

Member of the European Parliament and spouse

Chief Constable and spouse.

Her Majesty The Queen has ruled that these arrangements should apply also to official visits made by Her Majesty Queen Elizabeth The Queen Mother and those members of the Royal Family styled His or Her Royal Highness and their spouses.

This memorandum constitutes a definitive ruling of the Sovereign upon a matter which directly belongs to the Royal Prerogative.

This memorandum is to be read as supplementing the order of presentation in the memorandum issued in July 1988 by the Secretary of State for the Home Department, a copy of which is annexed.

NOTE SUMMARISING THE ROLE AND POWERS OF THE EUROPEAN PARLIAMENT

Current Position

The European Parliament (EP) is a directly elected body of 518 Members (MEPs), 81 of whom are from the United Kingdom.

2. Although the EP is not a legislative body in the Westminster sense - in the EC the Council of Ministers passes legislation - the EEC Treaty provides for the EP's involvement during the process of formulation and negotiation of Community legislation. Broadly speaking, the powers of the EP can be divided into:

- legislative, where it is actively involved through the consultation, assent and cooperation procedures, which provide for the EP's opinion to be sought at various stages;
- non-legislative, where it has the power to dismiss the whole College of Commissioners by a vote of censure (it cannot dismiss individual Commissioners); and, together with the Council of Ministers, it is the EC's budgetary authority and has the power to reject it if it disagrees with the Council's spending priorities.

3. Despite having limited formal powers, the EP exercises indirect influence through a range of specialist parliamentary committees, holding debates and publishing of reports, and close contacts with the Commission and a number of member states who would like to see its powers increased.

New role and powers provided by the Union Treaty

4. The Union Treaty, signed at Maastricht in December 1991, is to take effect in January 1993, subject to ratification by each member state of the Community.

5. In terms of the EP's influence over legislation, the Union Treaty extends the scope of the cooperation and assent procedures. It also introduces a new negative

assent procedure (based on the cooperation procedure) which strengthens the EP role and provides it with a power to block legislation in a number of limited areas.

6. In non-legislative matters, the Treaty introduces the power to set up a temporary Committee of Inquiry to investigate alleged contraventions or maladministration; the duty to receive petitions from Union citizens on matters within EC competence; the obligation to appoint an Ombudsman and to lay down appropriate regulations and conditions governing his/her duties; and the right to be consulted in the appointment of a President of the Commission.

7. The new Treaty also introduces a requirement that the Presidency and Commission will inform the EP and take account of its views on work carried out under the interior and justice provisions of the Treaty.

NOTE ON PRECEDENCE

The Constitutional Rule

The constitutional rule on the subject of precedence is described by Halsbury thus: "The Sovereign enjoys the sole right of conferring all titles of honour, dignities, and precedences and no subject can acquire a new title or dignity except by grant from the Crown, unless it be conferred by Act of Parliament, or acquired by marriage (in the case of a female) or obtained by prescription, which however presupposes a lost grant."

The existing Table of Precedence

2. In England and Wales, unlike the other parts of the UK the Sovereign has never made any systematic use of his prerogative powers of regulating precedence. The existing Table of Precedence in Debrett's Correct Form (which is generally accepted and followed, both officially and by the public generally) has never been enacted as a whole by the Sovereign or any competent authority. Parts of it are laid down by an Act or King Henry VIII, and some persons have been granted their precedence by Specific Royal Warrants; but a great part of the Table rests on no authority other than ancient custom and social usage. The position is the same as in the matter of titles and dignities; the Crown accepts and recognises genuinely ancient customary privileges but no new title or precedence can be acquired without an express grant from the Sovereign as the fountain of honour. The result is an unsystematic patchwork, consisting of an ancient body with a few modifications in detail introduced to meet special cases as they turned up, and it naturally contains anomalies. Some high offices, such as those of the Lord Privy Seal and the Lord President of the Council have a position which reflects their rank in the sixteenth century rather than their importance today; Archbishops and Bishops come very high in the Table of Precedence for men, while their wives have no position at all in the corresponding Table for women; and generally the fact that position in the Table is governed in some cases by social rank and on others by official dignity does not make for consistency.

3. In these circumstances the attitude of the Home Office has been for many years that piecemeal alterations in the Table should not be made except when that is absolutely unavoidable until - if the time ever comes - it should be possible to revise the Table systematically and as a whole. In 1924 we favoured undertaking a thorough revision, and suggested the appointment of a small Committee for the purpose. But the suggestion was not received with favour. Since then, the Department has been disinclined to undertake such an exercise and that remains our position. Practical experience in connection with the preparation of the Table for Northern Ireland and with the assignment of suitable places in the English Table to the Prime Ministers and High Commissioners of the Commonwealth has shown how arduous and complicated such an undertaking would be, and how many difficult and delicate questions it would raise.

Extant Home Office Guidance

4. In this century, the Home Office has twice issued memoranda communicating the Sovereign's wishes in matters of precedence. In both instances, the question determined was the order in which people present are to be ranked (eg for presentation to a member of the Royal Family). A circular issued in 1988 (copy at X attached) was concerned with "the relative precedence of the Chairman of the District Council (or Mayor) and the Chairman of the County Council." A memorandum issued in 1924 (copy at Y attached) dealt with "questions as to the relative precedence within the limits of a city or municipal borough of the Mayor (or Lord Mayor) ... and the Lord Lieutenant of the County."

Meaning of Precedence

5. For an office to be accorded a place of precedence does not necessarily entitle or oblige the holder of the office to be invited to or to attend a particular occasion. It will be noted that the two attached Home Office memoranda are silent on entitlement to be present, dealing only with the order in which those who are present are to be ranked. In practice, these two aspects have often become combined. The order of precedence for those invited to an event will to some extent determine who is invited. And the offices in relation to which the Home Office has made known the

Sovereign's wishes as to their relative precedence had a prior, established, domestic territorial locus (eg constituency, borough or country) which makes it natural and uncontroversial that they should be candidates for invitation to events involving Royalty in the locality.



HOME OFFICE

Queen Anne's Gate, LONDON, SW1H 9AT

Direct line:

Switchboard: 01-273 3000

X

Our reference: HON/88 168/1/1

Your reference:

The Chief Executive: County Councils in England and Wales
District Councils in England and Wales

HOME OFFICE CIRCULAR NO 63/1988

ROYAL VISITS TO A COUNTY : PRECEDENCE

Sir

The question of the relative precedence of the Chairman of the District Council (or Mayor) and the Chairman of the County Council during Royal visits has been raised from time to time. In 1977, Her Majesty The Queen made known, in connection with the series of Royal visits to counties in that Jubilee Year, that She wished to receive the Chairman of the County Council before the Chairman of the District Council.

This ruling is set out definitively in the attached Memorandum, which should be read in conjunction with the memorandum of January 1928 which is also attached. It is subject to the single qualification that where a purely district matter is the purpose of the Royal Visit, the Chairman of the District Council or Mayor should take precedence over the Chairman of the County Council. In cases of doubt about the exact distinction between County and District events, those responsible for making arrangements for the visit will no doubt wish to consult the Lord-Lieutenant.

The Home Secretary would be grateful if recipients of this Circular would make its contents known to all whom it may concern.

Clive Whitmore

SIR CLIVE WHITMORE
29 July 1988

Copies for information :

The Association of County Councils
The Association of District Councils
The Association of London Authorities
The Association of Lieutenants of Counties
The Association of Metropolitan Authorities
Council of the Isles of Scilly
The London Boroughs Association
The Society of Local Authority Chief Executives
Town Clerk, City of London

ROYAL VISITS TO A COUNTY
MEMORANDUM AS TO PRECEDENCE

From time to time questions are raised as to the relative precedence within a district of the Chairman of the District Council and the Chairman of the County Council and the present memorandum has been prepared by the Secretary of State for the Home Department to make known the wishes of Her Majesty The Queen.

Section 3(4) of the Local Government Act 1972 established the precedence to be enjoyed by Chairmen of District Councils but that enactment does not prejudicially affect the exercise of the Royal Prerogative. Where a District matter is the purpose of a Royal visit to a County, the Chairman of the District Council or Mayor will take precedence as provided in that section. Her Majesty has, however, made it clear that on other official Royal visits to a County the order of precedence should place the Chairman of the County Council before the Chairman of the District Council or Mayor. On such an occasion the order of presentation by the Lord-Lieutenant to the Royal visitor will normally be -

- Lord-Lieutenant's spouse
- High Sheriff and spouse
- Chairman of County Council and spouse
- County Chief Executive and spouse
- Chairman of District Council and spouse
- District Chief Executive and spouse
- Member of Parliament and spouse
- Chief Constable and spouse

After these presentations, the Lord-Lieutenant will present the principal organiser of the event to which the visit is being made and other necessary presentations may be deputed to the organiser.

Her Majesty The Queen has ruled that these arrangements should apply also to official visits made by Her Majesty Queen Elizabeth The Queen Mother and those members of the Royal Family styled His or Her Royal Highness and their spouses.

This memorandum is to be read as supplementing the memorandum issued in January 1928 by the Secretary of State for the Home Department, a copy of which is annexed, and constitutes a definite ruling of the Sovereign upon a matter which directly belongs to the Royal Prerogative. The Secretary of State hopes that once this is clearly understood there will be an end of the difficulties and misunderstandings which have arisen on this point in the past.



HIS MAJESTY'S LIEUTENANTS, LORD MAYORS, AND MAYORS.

MEMORANDUM AS TO PRECEDENCE.

From time to time questions are raised as to the relative precedence within the limits of a city or municipal borough of the Mayor (or Lord Mayor) of the city or borough and the Lord Lieutenant of the County in which the city or borough is situated, and the present memorandum has been prepared by the Secretary of State for the Home Department to make known the position, which was determined some years ago by a ruling of His late Majesty King Edward the Seventh given after full consideration by the Law Officers of the Crown of the legal questions involved.

The doubts which have arisen on the subject have been due to the provisions of section 15 (5) of the Municipal Corporations Act, 1882, which provides that the Mayor "shall, subject to the provisions of this Act respecting Justices have precedence in all places in the borough." The point to be determined was as to the correct interpretation of the words of this section. In this connection it had to be borne in mind:—

(1) that it is expressly laid down by statute (31 Henry VIII, cap. 10) that the determination of precedence is a matter for the Royal Prerogative;

(2) that section 15 of the Municipal Corporations Act is subject to section 259 of the same Act, which contains an express saving for the Prerogative;

(3) that the Sovereign has in fact on various occasions given order that certain personages should have precedence of Lord Lieutenants, High Sheriffs, and Mayors within their respective jurisdiction; and

(4) that His Majesty's Lieutenant by virtue of his commission is expressly appointed to represent the King in all cities and boroughs within the County.

The question was submitted to the Law Officers of the Crown for their advice on the legal question involved and they advised that the social precedence conferred on the Mayor by section 15 (5) must not be read as conferring upon him

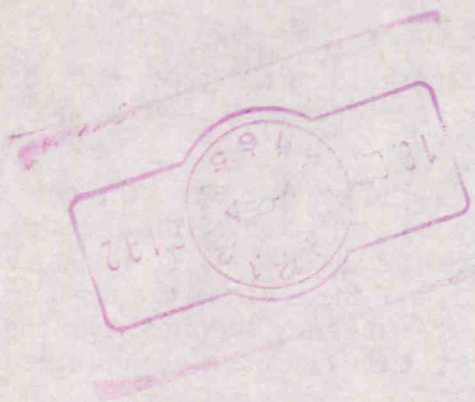
Precedence over those who, like the Lord Lieutenant, directly represent the Crown, and that in any case His Majesty had power to deal with the matter by Royal Warrant

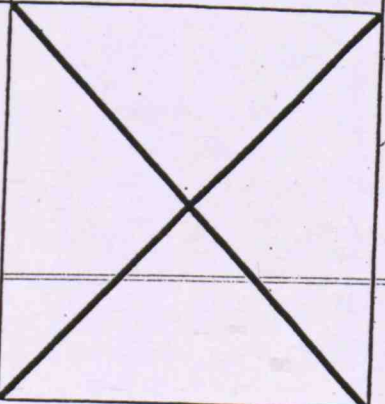
They added, however, that social precedence has no bearing upon the question who should preside at City functions. At any banquet given by the Borough the Mayor will naturally take the chair as representing the hosts. In the same way, at any meeting of the citizens the Mayor will take the chair if the meeting has been summoned by him as Mayor. At public meetings not so summoned the Lord Lieutenant takes precedence over the Mayor, but the chair may be occupied by any one selected by the Meeting for the purpose.

The foregoing opinion was submitted to and approved by His late Majesty King Edward and His approval, which has been affirmed by His present Majesty, constitutes a definite ruling of the Sovereign upon a matter which directly belongs to the Royal Prerogative. The Secretary of State hopes that once this is clearly understood there will be an end of the difficulties and misunderstandings which have arisen on this point in the past.

Home Office.

January, 1923



DEPARTMENT/SERIES	Date and sign
..... <i>PREM 19</i>	
PIECE/ITEM <i>3920</i> (one piece/item number)	
Extract details: <i>Letter from Robert Fellows to Lord Bethell MEP dated 12 JUNE 1991</i>	
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Enter the piece and item references, .
eg. 28, 1079, 84/1, 107/3

Enter extract details if it is an extract rather than a whole piece.

This should be an indication of what the extract is,

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DEPARTMENT/SERIES	PREM 19	Date and sign
PIECE/ITEM (one piece/item number)	3920	
Extract details: Letter from Robert Fellowes to Andrew Turnbull dated 12 JUNE 1991	X	
CLOSED UNDER FOI EXEMPTION		
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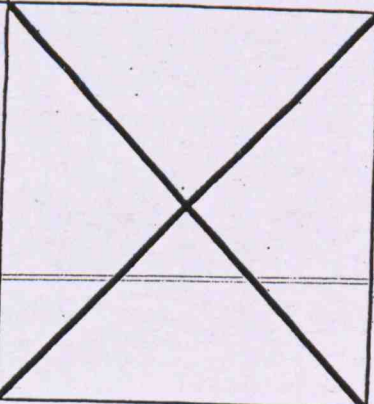
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DEPARTMENT/SERIES	PREM 19	Date and sign
PIECE/ITEM (one piece/item number)	3920	
Extract details: Letter from Andrew Turnbull to sir Robert Telford dated 10 June 1991		
CLOSED UNDER FOI EXEMPTION		
RETAINED UNDER SECTION 3(4) OF THE PUBLIC RECORDS ACT 1958		
TEMPORARILY RETAINED	16/10/17 <i>Mr. him</i>	
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Foreign &
Commonwealth
Office

10 June 1991

London SW1A 2AH

Dear Andrew,

MEPs

Thank you for your letter of 3 May asking for advice
about MEPs

The precedence of British subjects in the UK is not primarily a matter for the Foreign and Commonwealth Office. I understand that MPs have no place in the formal Table of Precedence (but the Home Office advises on their relative position). We are, naturally, interested in the status of MEPs as members of an important European institution.

We have discussed the problem with the Home Office who agree that it would be sensible to revise the Guidance issued by Sir Clive Whitmore in 1988 to include MEPs. MEPs should in our view clearly not outrank MPs, who already have their place in the order of precedence on Royal occasions. The Home Office will now consider an amendment to the Guidance reminding those concerned of the need to bear MEPs in mind on domestic occasions involving Royalty. We have suggested that the amendment should take account of the point made by Lord Bethell that MEPs, by virtue of their much larger constituencies, could finish up with many more invitations than MPs. This seems to us something for those concerned to consider in the light of a particular event.

For the State and formal occasions, usually connected with overseas visitors, where we recommend a guest list, we will in future include MEPs. The principal functions are the banquets at Buckingham Palace and the Guildhall during a State Visit and the formal entertainment during a Guest of Government visit. Otherwise, we will include MEPs in the guest list for the Foreign Secretary's annual Diplomatic Banquet to be held this year at Hampton Court on 18 June. Mr Michael Elliott, the MEP for London West has been invited to attend.

I am copying this letter to Colin Walters (Home Office) and David Hadley (Cabinet Office).

Yours ever,

(RH T Gozney)
Private Secretary

Andrew Turnbull Esq
10 Downing Street



mt
c: MEPS

10 DOWNING STREET

LONDON SW1A 2AA

From the Principal Private Secretary

3 May 1991

MEPs

It seems that the existing guidance does not provide for MEPs, probably it was drawn up before they were directly elected. I would welcome advice on the kind of royal occasions to which MEPs might formally be invited and to the precedence they should be accorded.

I am copying this letter and attachments to Colin Walters (Home Office) and to David Hadley (Cabinet Office).

Andrew Turnbull

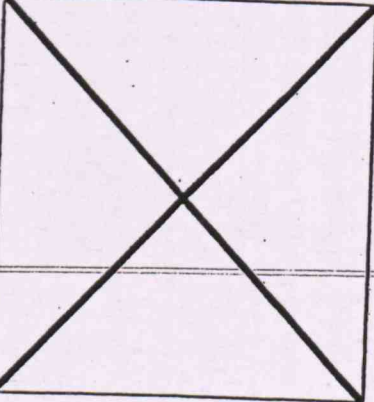
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Richard Gozney Esq
Foreign and Commonwealth Office

✓

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DEPARTMENT/SERIES PREM 19 PIECE/ITEM 3920 (one piece/item number)	Date and sign
Extract details: Letter from Robert Fellowes to Andrew Tomball dated 2 May 1991	
CLOSED UNDER FOI EXEMPTION	
RETAINED UNDER SECTION 3(4) OF THE PUBLIC RECORDS ACT 1958	
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Spores

HOME OFFICE

Queen Anne's Gate, LONDON, SW1H 9AT

Direct line:

Switchboard: 01-273 3000

Our reference: HON/88 168/1/1

Your reference:

The Chief Executive: County Councils in England and Wales
District Councils in England and Wales

HOME OFFICE CIRCULAR NO 63/1988

ROYAL VISITS TO A COUNTY : PRECEDENCE

Sir

The question of the relative precedence of the Chairman of the District Council (or Mayor) and the Chairman of the County Council during Royal visits has been raised from time to time. In 1977, Her Majesty The Queen made known, in connection with the series of Royal visits to counties in that Jubilee Year, that She wished to receive the Chairman of the County Council before the Chairman of the District Council.

This ruling is set out definitively in the attached Memorandum, which should be read in conjunction with the memorandum of January 1928 which is also attached. It is subject to the single qualification that where a purely district matter is the purpose of the Royal Visit, the Chairman of the District Council or Mayor should take precedence over the Chairman of the County Council. In cases of doubt about the exact distinction between County and District events, those responsible for making arrangements for the visit will no doubt wish to consult the Lord-Lieutenant.

The Home Secretary would be grateful if recipients of this Circular would make its contents known to all whom it may concern.

SIR CLIVE WHITMORE
29 July 1988

Copies for information :

The Association of County Councils
The Association of District Councils
The Association of London Authorities
The Association of Lieutenants of Counties
The Association of Metropolitan Authorities
Council of the Isles of Scilly
The London Boroughs Association
The Society of Local Authority Chief Executives
Town Clerk, City of London

ROYAL VISITS TO A COUNTY
MEMORANDUM AS TO PRECEDENCE

From time to time questions are raised as to the relative precedence within a district of the Chairman of the District Council and the Chairman of the County Council and the present memorandum has been prepared by the Secretary of State for the Home Department to make known the wishes of Her Majesty The Queen.

Section 3(4) of the Local Government Act 1972 established the precedence to be enjoyed by Chairmen of District Councils but that enactment does not prejudicially affect the exercise of the Royal Prerogative. Where a District matter is the purpose of a Royal visit to a County, the Chairman of the District Council or Mayor will take precedence as provided in that section. Her Majesty has, however, made it clear that on other official Royal visits to a County the order of precedence should place the Chairman of the County Council before the Chairman of the District Council or Mayor. On such an occasion the order of presentation by the Lord-Lieutenant to the Royal visitor will normally be -

- Lord-Lieutenant's spouse
- High Sheriff and spouse
- Chairman of County Council and spouse
- County Chief Executive and spouse
- Chairman of District Council and spouse
- District Chief Executive and spouse
- Member of Parliament and spouse
- Chief Constable and spouse

After these presentations, the Lord-Lieutenant will present the principal organiser of the event to which the visit is being made and other necessary presentations may be deputed to the organiser.

Her Majesty The Queen has ruled that these arrangements should apply also to official visits made by Her Majesty Queen Elizabeth The Queen Mother and those members of the Royal Family styled His or Her Royal Highness and their spouses.

This memorandum is to be read as supplementing the memorandum issued in January 1928 by the Secretary of State for the Home Department, a copy of which is annexed, and constitutes a definite ruling of the Sovereign upon a matter which directly belongs to the Royal Prerogative. The Secretary of State hopes that once this is clearly understood there will be an end of the difficulties and misunderstandings which have arisen on this point in the past.



HIS MAJESTY'S LIEUTENANTS, LORD MAYORS, AND MAYORS.

MEMORANDUM AS TO PRECEDENCE.

From time to time questions are raised as to the relative precedence within the limits of a city or municipal borough of the Mayor (or Lord Mayor) of the city or borough and the Lord Lieutenant of the County in which the city or borough is situated, and the present memorandum has been prepared by the Secretary of State for the Home Department to make known the position, which was determined some years ago by a ruling of His late Majesty King Edward the Seventh given after full consideration by the Law Officers of the Crown of the legal questions involved.

The doubts which have arisen on the subject have been due to the provisions of section 15 (5) of the Municipal Corporations Act, 1882, which provides that the Mayor "shall, subject to the provisions of this Act respecting Justices have precedence in all places in the borough." The point to be determined was as to the correct interpretation of the words of this section. In this connection it had to be borne in mind:—

(1) that it is expressly laid down by statute (31 Henry VIII. cap. 10) that the determination of precedence is a matter for the Royal Prerogative:

(2) that section 15 of the Municipal Corporations Act is subject to section 259 of the same Act, which contains an express saving for the Prerogative:

(3) that the Sovereign has in fact on various occasions given order that certain personages should have precedence of Lord Lieutenants, High Sheriffs, and Mayors within their respective jurisdiction: and

(4) that His Majesty's Lieutenant by virtue of his commission is expressly appointed to represent the King in all cities and boroughs within the County.

The question was submitted to the Law Officers of the Crown for their advice on the legal question involved and they advised that the social precedence conferred on the Mayor by section 15 (5) must not be read as conferring upon him

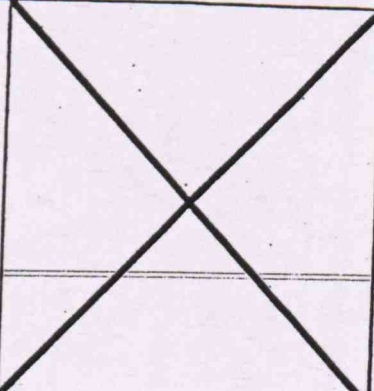
precedence over those who, like the Lord Lieutenant, directly represent the Crown, and that in any case His Majesty had power to deal with the matter by Royal Warrant.

They added, however, that social precedence has no bearing upon the question who should preside at City functions. At any banquet given by the Borough the Mayor will naturally take the chair as representing the hosts. In the same way, at any meeting of the citizens the Mayor will take the chair if the meeting has been summoned by him as Mayor. At public meetings not so summoned the Lord Lieutenant takes precedence over the Mayor, but the chair may be occupied by any one selected by the Meeting for the purpose.

The foregoing opinion was submitted to and approved by His late Majesty King Edward and His approval, which has been affirmed by His present Majesty, constitutes a definite ruling of the Sovereign upon a matter which directly belongs to the Royal Prerogative. The Secretary of State hopes that once this is clearly understood there will be an end of the difficulties and misunderstandings which have arisen on this point in the past.

Home Office.

January, 1928

DEPARTMENT/SERIES	PREM 19	Date and sign
PIECE/ITEM (one piece/item number)	3920	
Extract details: Letter from Lord Bethell MP to Sir Robert Fellows dated 1 May 1991		
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Queen
FRIDAY 10.15

ROBIN

~~Angela~~

Let's say 10.15. I will
go to No. 11. Please let me have the papers
again then.

I mentioned that the Chief Whip wanted
a word about presentation of MEPs to The Queen during her visits to their
constituencies. FERB
18.1.

Would Friday morning do, when the PM
is away and before you go to the Lord
Mayor ?

At, say, 10.15 which would also suit the
Chief ?

Would you like him to come to you, or would
you prefer to go to No 12 ?

Note:- Discussed with the Chief
Whip who acknowledged that it was
a real advance that His Palace had
agreed to arrange for MEPs to be
presented to The Queen during
a visit and was content on that
basis.

Angela

18.2.83

FEB

21.1.



10 DOWNING STREET

From the Principal Private Secretary

24 December 1982

I have now been able to consult about the point raised in your letter of 9 December on the arrangements for presenting United Kingdom Members of the European Parliament to The Queen when she visits their constituencies.

there is an established policy on this matter. Members of the European Parliament are not formally presented by Lords Lieutenants to the Sovereign on Her arrival for official visits in the United Kingdom since these are domestic British occasions and do not concern the European Members of Parliament in their official capacity. Nor does The Queen have any constitutional relationship with the European Parliament.

If, however, a request is received for the local European Member of Parliament to meet The Queen at some point during an official visit in the United Kingdom, the Buckingham Palace Private Secretary responsible will gladly arrange for this to be done at a convenient moment during the visit, but not at the official arrival. A number of Members of the European Parliament have been presented in this way during the last year or so.

I am copying this letter to the Chief Whip.

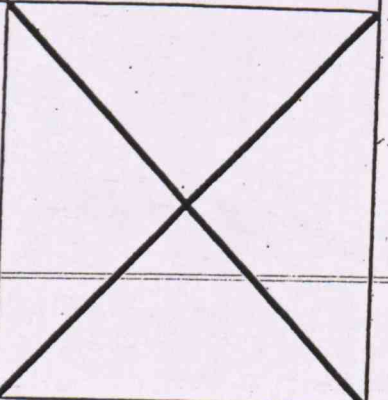


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John de Courcy Ling, Esq., M.E.P.

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DEPARTMENT/SERIES	Date and sign
..... PREM 19	
PIECE/ITEM 3920 (one piece/item number)	
Extract details: letter to Robin Butler from Philip Mason dated 22 December 1982	
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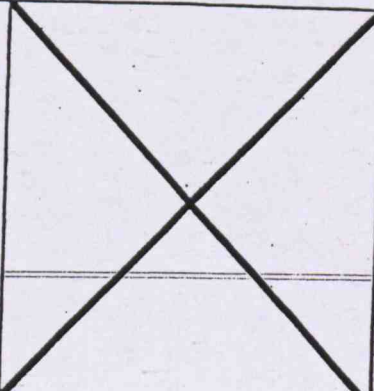
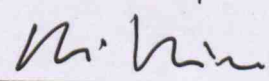
Augie
let them be filed by CF & B.F.
Robin in at weekly intervals until we have
a reply.
CF say there are no papers ^{FERB}
on this subject, having gone _{15.12.}
back as far as Mr. Heath's
time.

would you like to hold on
to them ?

Angela
15/12

→ CF

To see FERB'S m.s.

DEPARTMENT/SERIES	PREM19	Date and sign
PIECE/ITEM (one piece/item number)	3920	
Extract details: Letter to Sir Philip Moore from Robin Butler dated 15 December 1982		
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RETAINED UNDER SECTION 3(4) OF THE PUBLIC RECORDS ACT 1958		
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2.6 AH
cc C.W.

10 DOWNING STREET

From the Principal Private Secretary

15 December 1982

Dear Mr. de Courcy Ling,

Thank you for your letter of 9 December about the treatment of United Kingdom Members of the European Parliament when The Queen visits their constituencies. I will, of course, take up this matter as you ask, and I will let you know what is the outcome of my discussion with

I am copying this letter to the Chief Whip.

Yours sincerely,

John de Courcy Ling

Robin Butler

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European Parliament

Telephone 235 5655

31 Chapel Street
Belgrave Square
London S.W.1.

3.35

9 December 1982

Dear Private Secretary,

Acting in my capacity as Chief Whip in the European Parliament, I have been in touch with the Lord Chamberlain's Office about a certain lack of consistency in the treatment of United Kingdom Members of the European Parliament when the Queen visits their constituencies.

In many cases such as in my own constituency in Warwickshire, the Lord Lieutenant ensures that Westminster Members and European Members are treated similarly and, if time allows, all are presented to the Queen or any other visiting member of the Royal Family. There was however a recent occasion in Northamptonshire when the local Member of the European Parliament was deliberately excluded

on the grounds that it was a United Kingdom domestic occasion.

I have therefore discussed the line that might be taken with the Government Chief Whip and at his suggestion I am writing to you to ask that you will be kind enough to take the matter up with the Palace. He and I take the view that a Member of Parliament has two places of work - the seat of the Parliament to which he is elected and his constituency. A European Member of Parliament for Northamptonshire therefore has a particular status in Northamptonshire.

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as a result of his having been directly elected by the Queen's subjects there. It therefore follows that his constituents would expect him to be treated in the same way as their other elected representatives.

I am sending a copy of this letter to the Government Chief Whip.

Yours sincerely,

John de Courcy Ling

(John de Courcy Ling)

F. E. R. Butler, Esq.,
Principal Private Secretary to the Prime Minister,
10 Downing Street,
LONDON,
SW1.

4 DEC. 1982

12 1 2 3 4
11 10 9 8 7 6 5

Grey Scale #13



A 1 2 3 4 5 6 **M** 8 9 10 11 12 13 14 15 **B** 17 18 19

